

REWRITING THE MIDDLE AGES IN THE TWENTIETH CENTURY

III. POLITICAL THEORY AND PRACTICE

Rewriting the Middle Ages in the Twentieth Century

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III. POLITICAL THEORY AND PRACTICE

Edited by
Julia PAVÓN BENITO

BREPOLS

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INTRODUCTION STUDYING POWER

Julia PAVÓN BENITO

An analysis of the historiographical production linked to European kingdoms – French, English or Spanish – reveals, for all the chronological periods and contexts, interest in serving the crown and its political interests. *Cronicae* and *Historiae*, apart from articulating events connected to political monarchies, formulated – with varying degrees of rigor, realism, and detail – the narrative keys to the justification of power. In this manner, what appeared as explanatory historical texts actually infused existing literature with deep political intentionality. These chronicles thus managed to confer a highly efficient practical legitimacy to the Kings' ruling programs, developing at the same time an official discourse for the reigning crowns.

On another level of the intellectual discourse constructed in the Middle Ages to justify the exercise of power, authority, or establish the legitimacy of those who ruled, or wanted to rule, over kingdoms or empires, a group of thinkers began to reflect on the origin, nature, and the meaning of power. These included St. Augustine, John of Salisbury, St. Thomas Aquinas, John of Paris, Peter Dubois, John Wycliffe, Marsilius of Padua, and Dante Alighieri. Their writings aimed to define and locate the spheres and limits of power of the majority of the monarchies in Western Europe that had arisen after the fall of the Roman Empire. We should keep in mind that the development of these kingdoms, which would eventually lead to the formation of the modern states of France and England, happened over a long period of time, in complex social, economic, and cultural contexts, wherein the ecclesiastical hierarchy played a crucial role.

The Church, under the leadership of the Roman pontiff, was a key player in the political conflict beginning in the eleventh century. The reach of an organization like the Church simultaneously complicated and facilitated the growth of the monarchies in the face of feudal power and its territorial expansion towards Eastern Europe and against Islam in the Iberian Peninsula. At the same time, it posed a difficult problem: Who would make the decisions in the realm of secular concerns? The monarchs or the Pope? Which of the

powers should be superior to the others? While Rome pressed for independence in its responsibilities, kings and emperors promoted and deployed the clergy for diplomatic purposes or to move their political interests. At the same time, from 1000, the Church supported a *reformatio in capite et in membris*, leading to a shift in its complex ecclesiastical organizational, juridical, moral, legislative, and formative scaffolding. This way, and recovering the weight of the Visigothic and Carolingian 'national churches', the Pontiff intervened in the European theatre not only to validate the independence of the Church hierarchies against powerful groups, but also to ratify the importance of the Church as an arbiter of secular power. This did not imply that the clergy decided on internal fiscal or territorial matters proper to the Kings, but it did strive to maintain a clear role in mediating or advising the rulers on matters related to the nature and limits of power.

In spite of the appearance of the Church's moral tutelage, well represented, for example, in the Hispanic Gothic, we must remember that the Roman pontiff was a feudal lord who, from the mid-eleventh century, had to defend his property in Italy against the Holy Roman Empire. For this reason, and in order to maintain and strengthen his authority as the head of a hierarchy spread throughout Europe under the influence of secular powers, and not only before Henry IV or Frederick II, a clash of powers came about. The Pope and the German Emperor entered into a discussion, for many complex political and religious reasons (the complaint regarding investitures), leading to an intellectual discourse that would have enormous consequences for the Middle Ages and the Modern Age. Harnessing as the frame a series of generic concepts that blended the idea of 'people' with 'the people of God' or the divine origin of power, the Church supported a doctrine of complementarity between spiritual and temporal power. From this arose the theory of the two swords, *utrumque gladium*, which turned to biblical and patristic sources (St. Luke 23: 35–38; the letters of the Pope Gelasius I and of St. Augustine) to explain that, according to the divine will, the human community possessed both civil and religious authority. Both owed each other reciprocal protection, because if the Church obeyed secular laws, the monarchs and other rulers also had to respect religious matters. However, this apparently harmonious theoretical frame was difficult to apply in practice. The emperor and the monarchs did not respect the independence of the Church hierarchies; the Church, in turn, refused to distance itself, within national spheres, from its zeal to collaborate in political projects.

The historical conflict of powers, and the consequent historiographical complexity of a scholarly analysis of the situation in diverse kingdoms, where

events were experienced with varying degrees of intensity, arose from this context.

This book, the third volume in the series *Rewriting the Middle Ages*, focuses on the history of political theory and practice. It collects historiographical reflections on twentieth century medievalists who devoted at least part of their academic career to these questions. The essays presented here centre on history, art history, canon law, and sigillography to raise questions about the source of power, its symbolism, its dialogue with ecclesiastical power and society, and with ruling dynasties.

Ernst H. Kantorowicz, *The King's Two Bodies* has clearly shaped medieval historiography in its relation to political thought since its publication in 1957. This text, which arose from the historian's discussions with his colleague Max Radin (University of California-Berkeley), *may be taken among other things as an attempt to understand and, if possible, demonstrate how, by what means and methods, certain axioms of a political theology with 'mutatis mutandis' was to remain valid until the twentieth century, began to developed during the later Middle Ages. It would go much too far, however, to assume that the author felt tempted to investigate the emergence of some of the ideas of modern political religions merely on account of the horrifying experience of our own time...*

This quotation expressively sums up the academic and intellectual climate of the first decades of the twentieth century, during which a generation of historians, canonists, and art historians became committed to both renewing their disciplinary methodologies and to understanding the origin and characteristics of state power forged in the medieval period. Terms such as 'imperium,' 'the Papacy,' 'theocracy,' 'canon doctrine,' 'coronation,' among others that appeared in literary texts and other documents as of the eleventh century, became the focus of attention of a group of scholars from the end of the 1920s and early 1930s in a Europe that was simultaneously captivated and challenged by new political regimes. In this pre-war world, scholars such as P. E. Schramm, S.G. Kuttner, W. Ullmann y E. H. Kantorowicz, concerned about the political climate and seduced by the possibilities of the revision of historical methodologies and the direct study of archival sources, struggled to unravel the origins and antecedents of power, in all its facets. Thus, attracted by the context of the late Roman Empire and its attendant ceremonies, the patristic tradition, and the ecclesiastical canon collection, by figures such as Frederick II or Philippe IV of France, as well as the conflicts and dynamics of late medieval power, they made this historiographical period the focus of their study. Further, apart from leaving a mark through their books and

articles, developed in the midst of the intellectual debate of the period, they formed currents of thought and other historians who, in diverse ways, continued these traditions, in both Europe and the United States.

This new book, the first chapter of which breaks away from the established methodology of volumes of this nature, offers a renewed vision of the readings on Kantorowicz: *Ernst H. Kantorowicz (1895–1963) and Gabriel Naudé (1600–1653): from ‘Mysteries of State’ to ‘Coups d’État’*. Because this historian has already been analysed in depth in the first volume of this series, the current article, by António Bento, articulates a conceptual shift in the move from the Late Middle Ages to the Modern Age, the time during which the idea of the State and its practices were sacralised. One of these ideas, that of the *coup d’État*, justified by Gabriel Naudé, implied the representation, in the seventeenth century, of a political theory formed centuries earlier in the intellectual context of medieval political theology.

Percy Ernst Schramm (1894–1970) and Walter Ullmann (1910–1983) were two influential scholars in the field of the history of medieval political thought. Their ground-breaking work is the focus of the next two chapters of this volume. Jaume Aurell analyses Schramm’s historical production, specifically the transmission of political ideas and liturgical and ceremonial practices from the Late Roman Empire to the German Empire. He signals the singularity of this academic who – the only one of his generation – collaborated with the Third Reich, which led to his work acquiring less attention in post-war intellectual and cultural circles. Nonetheless, his work on coronations continues to be fundamental to our understanding of the phenomenon. Israel Sanmartín discusses the contributions of the Austrian historian W. Ullman, who established an important school of medieval political thought at Cambridge University. Highly influential because of the cultural context of German universities, Ullman’s work focuses primarily on the history and legal frame of the papacy.

Julia Pavón Benito and Anna K. Dulska focus on the work of Joseph R. Stayer (1904–1987). As a student of Charles H. Haskins who worked at Princeton, Stayer set the ground for research on medievalism in the United States, blending variables such as the intellectual legacy of his teacher, openness to new research areas beyond the field of Anglo-Norman studies, the adoption of European historiographical methods, and a particular interest in studying the institutional and organizational structures of the modern state. Furthering the exploration the origins of the state, the next two essays examine the work of two Spanish historians: José Antonio Maravall (1911–1986), of the history of ideas who emphasized theoretical reflection,

and Luis Suárez Fernández (1924–), a historian of the Middle Ages, whose strategy involved practical and factual analyses of the exercise of power. Alejandro Diz analyses Maravall, an intellectual formed within the Spanish historical tradition and the new European historiographical tendencies, who delved into issues of power in the Christian medieval peninsular kingdoms in his books *El concepto de España en la Edad Media* (1954) and *Estudios de Historia del Pensamiento Español* (1983). Suárez Fernández, educated in a context different from the traditional Spanish medievalism embodied by Claudio Sánchez Albornoz, devoted his career to explicating the dynamics of power in the Kingdom of Castile in the Late Middle Ages, during the Trastámara dynasty. As César Olivera explains, this period is crucial to our understanding of the appearance of the modern state in the Iberian Peninsula because the powers and attributions of the social sphere and the crown began an important process of reorganization at the end of the fourteenth century.

The volume also highlights historical research into canon law. Stephan G. Kuttner (1907–1996) and one of his American ‘disciples’, Robert Louis Benson (1925–1996), are discussed by Joaquín Sedano and Nicolás Álvarez de las Asturias, respectively. Kuttner, a Catholic of German Jewish descent who lived in the U.S. after his emigration from Europe in 1940, spent his academic life working on the critical edition of Gratian’s *Decretum*, as well as on the scattered and less known canonical literature or the *glossae* of the decretists and the decretalists in the twelfth and thirteenth centuries. He sought to explain the problems and characteristics of canon law – what he called *textes vivantes* – in dialogue with its historical moment, linguistic particularities, and socio-political context. Thus, by studying doctrinal jurisprudence in detail, he concludes that ‘legal doctrine provided an essential component of all political debate throughout the Middle Ages’, as Sedano explains in his essay. This close relationship will also mark the work of Robert Benson, who summed up his academic focus in a brief phrase: *I study power*. Benson did not only learn from the new methodology proposed by Kuttner for canonical archives and sources, but within the push towards a renovation of scholarly approaches to power, influenced by the work of Kantorowicz, he published his influential *The Bishop-Elect*. Álvarez de las Asturias reads this text as well as the rest of Benson’s historiographical production within the frame of the seventeenth century, because this was the period during which the Church formulated and explained a set of doctrinal principles on power that substantially influenced medieval society.

Just as canon law was marshalled by the Church to make its attributions of power clear and effective, other strategies also served as forms of political language: art and sigillography. In the early twentieth century, the art historian André Grabar (1896–1990), grew conscious of the changes the methodology of his field required in order to comprehend the origin and intentionality of sacred art. Russian by birth, French in his intellectual formation and American by adoption, he offered new perspectives on the interpretation of Early Christian and Byzantine art, revealing its deployment as a tool in the hands of the Emperor. As Marta Serrano Coll argues in her essay, Grabar's re-evaluation of iconography was ground-breaking and he established the paradigms of modern approaches to Byzantine and Eastern European visual art. Alfons Puigarnau's essay on the medieval Catalanian sigillographic work of Ferran de Sagarra i de Siscar (1853–1939), highlights the ways seals that marked diplomatic correspondence carried significant symbolic and propagandistic weight. These small marks of natural wax, occasionally coloured red, or lead seals (used only in Papal Bulls), gave heightened weight to the activity of royal or episcopal chancelleries. But even as these seals had diplomatic purposes, their symbolism transcended the merely material and allows us to engage with them as representations of real political theology.

In sum, the essays published in this volume have in common their interest in focusing on the sources, nature, characteristics, and representations of the theory and practice of power. Writings and debates, marked by the European political context in the 1930s, led and continue to lead us, from diverse perspectives and through different disciplines, to what Benson notes: the study of power.

I would like to thank my colleagues who have helped me with the process of editing this volume. First, my gratitude to Dr Jaume Aurell, who began the *Rewriting the Middle Ages* project almost a decade ago. His generosity and valuable intellectual contributions remain an example for me, as do his encouragement and friendship. My appreciation also goes to my graduate student, Anna K. Dulcka, whose invaluable help at just the right time made a great difference. Finally, the support of Loes Diercken, Publishing Manager at Brepols, facilitated the editing process. These, and the others who were part of this book's journey, validate the phrase attributed to Quintus Ennius: *amicus certus in re incerta cernitur*.

1. ERNST H. KANTOROWICZ (1895–1963) AND GABRIEL NAUDÉ (1600–1653): FROM ‘MYSTERIES OF STATE’ TO ‘COUPS D’ÉTAT’

António BENTO

‘Mysteries of State’

Ernst H. Kantorowicz was the author that best showed, in a large amount of documents and with a preeminent speculative skill, not only the medieval origins of the absolutist concept of ‘Mysteries of State’ but also the ways it influenced the modern state politics. He raises a theological-political issue that he clearly answers: ‘How, by what channels and by what techniques, were the spiritual *arcana ecclesiae* transferred to the state so as to produce the new secular *arcana imperii* of absolutism?’¹ Amongst the extreme richness of the political vocabulary of the seventeenth century it is the late-medieval expression ‘Mysteries of State’ that gives us a fair idea of the way *Leviathan*’s opposition to church and to its different confessions and factions made the State a religious aim in itself.

From this point of view, it should be noted that the so-called ‘laicisation’ or ‘secularisation’ of the political sphere is inseparable from a sacralisation of the figure of the State, which results in the modern political ‘mystery’ par excellence. Indeed, the evidently theological dimension of the modern ‘absolute State’ consecrated by a religious redefinition of the political power, requires us to undertake – before addressing Gabriel Naudé’s concept of ‘*coup d’État*’ – a brief analysis of the mechanisms that led to the creation of what medieval jurists dubbed ‘Mysteries of State’.

In the essay ‘Mysteries of State: An Absolutist Concept and its Late Mediaeval Origins’, Kantorowicz highlighted the way by which, through

¹ Cf. Ernst H. Kantorowicz, ‘Mysteries of State. An Absolutist Concept and its Late Mediaeval Origins’, in *Harvard Theological Review*, 48 (1955), p. 66.

reciprocal mimicry, the *imitatio imperii* of the spiritual power was offset by an *imitatio sacerdotii* by the secular power. From his point of view, the rulers – ‘both spiritual and secular’ – proceeded to mutually imitate insignia, tittles, symbols, privileges and prerogatives and the exchange, at the end of the Middle Ages, of honorific rights between *sacerdotium* (‘the crown-wearing pontiff’) and *regnum* (‘the mitre-wearing emperor’) allowed the hierarchical apparatus of the Roman Church to emerge as ‘the prototype of an absolute and rational monarchy on a mystical basis, whereas simultaneously the state showed increasingly a tendency to become a quasi-Church and, in other respects, a mystical monarchy on a rational basis’.²

In fact, the political secularisation of theological concepts – and most importantly the secularisation of the concept of ‘royalty’ – is even more important since, in the opinion of Kantorowicz, the application of a theological language to secular institutions resulted in an enthronement or divinisation of the modern State. To this end contributed an exchange of vocabulary – and sometimes confusion or lack of distinction of the respective lexicons – between the canonist commentators and the civil lawyer commentators present at the creation of the medieval legal concept known as ‘Mysteries of State’. It was precisely from this formula exchange between canon law and roman law (which Kantorowicz dubs ‘brackish waters’) that resulted the ‘mezzo-theological language’ of the medieval jurists, which made possible the legitimisation and elevation of the State to the religious and supernatural sphere of the ‘mystery’. Kantorowicz observes:

The jurists of all branches of Law applied freely, and without scruples or inhibitions, theological metaphors and similes when expounding their points of view in glosses and legal opinions. Under the impact of those exchanges between canon and civilian glossators and commentators – all but non-existent in the earlier Middle Ages – something came into being which then was called ‘Mysteries of State’, and which today in a more generalizing sense is often termed ‘Political Theology’.³

It is the opinion of Ernst Kantorowicz that the expression ‘Mysteries of State’, a blatant secularisation of a theological concept, possesses a Christian tone more than a Tacitean one, although the term *arcana* served generically the purpose of specifying the *mysteria* to pagans as well as Christians. The author situates the modern avatar of the ‘Mysteries of State’ problem

² Cf. Ernst Kantorowicz, *ibid.*, p. 66.

³ Cf. Ernst Kantorowicz, *ibid.*, p. 67.

in a complaint that James I made to the House of Commons, in which the English king ordered the Speaker 'to acquaint that house with our pleasure that none therein shall presume to meddle ('to meddle' was a favourite expression of absolutism) with anything concerning our government or mysteries of State'.⁴

With this proclamation, dating from 1610, James I outlawed, so to speak, any attempt from his subjects to provide their opinion or to 'freely wade by their writings in the deepest mysteries of monarchy and politick government'.⁵ In this proclamation, James I claims that questioning or discussing the 'mysteries of the King's power' is a sacrilegious act and, as such, it is worthy of repudiation and of punishment. Moreover, the word 'sacrilege' being used to describe – and to criminalise – the violation of the sacred nature of royalty abuts with what Kantorowicz calls the mandatory 'zone of silence' imposed on anyone who approaches the area reserved for the *mysteria* and *arcana*. No doubt that the violation of such a 'zone of silence', breaking with the 'Prerogative or mystery of State' of the King, means, evidently, that the diffusion of the political knowledge contained in government secrets has deeply political effects.

According to the author of *The King's Two Bodies*, the legal doctrine of the 'Mysteries of State', formulated by James I, is one of the main features of what he called 'royal Pontificalism', a form of government employed by the absolute monarchies of the XVII century, in which, according to the laconic formula of Kantorowicz: 'the Prince himself stepped into the pontifical shoes of Pope and Bishop'.⁶ According to Kantorowicz, the medieval notion of 'Mysteries of State', which the modern absolute State adopts and develops, originates from a legal training that the glossators from the XII and XIII century called *religio iuris* or *mysterium Iustitiae*: Mysteries of the Justice, this is, mysteries of the *State* or mysteries of the *Government*. Kantorowicz concludes:

The royal 'Pontificalism' then, seems to be resting in the legally settled belief that government is a *mysterium* administered alone by the king-high priest and his indisputable officers, and that all actions committed in the name of 'Mysteries of State' are valid *ipso facto* or *ex opera operato*, regardless even of the personal worthiness of the king and his henchmen.⁷

⁴ Cf. Ernst Kantorowicz, *ibid.*, p. 68.

⁵ Cf. Ernst Kantorowicz, *ibid.*, p. 68.

⁶ Cf. Ernst Kantorowicz, *ibid.*, p. 67.

⁷ Cf. Ernst Kantorowicz, *ibid.*, p. 72.

From our standpoint of interest, namely, delving on the nature and political role of the 'Mysteries of State' in the work *Considérations politiques sur les coups d'État* (1639), by the French polemist Gabriel Naudé, it should be noted that the problematic that the expression 'Mysteries of State' reflects is, effectively, the political effect of a legal fiction which, once objectified in instrument or in a political stratagem, aimed initially at the reinforcement of the *imperium* and of the *dominium* of the clergy, while being later, once secularised, aimed at the safeguarding of an autonomous political space of the modern State and at the protection and the inviolability of the private property of the Prince who heads the State. However, the actions taken in the name of these 'Mysteries of State', are, precisely, the *coups d'État* of the Prince, actions that confirm the mysteries and thus reveal them. The State secret, or rather, what is worthy of secretiveness in the modern 'absolute State', its mystery, is precisely the sacred character of the State. Therefore, the 'master-stroke of State', in the overall sense in which Naudé interprets the sense of the genuine secret of State, is nothing more than the privileged expression of the sacralised sphere of the 'Mysteries of State'.

'Coups d'État'

Not being invented by Gabriel Naudé, the expression 'master-stroke of State' is one of those topics in the political vocabulary of the XVII century that enjoys a specific place within the dynamic lexicon of the then-current State, which hopes primarily to distinguish between the *common rationality* and the properly called *political rationality*, whose principles or 'sentences' we attempt to analyse and organise. Expressions such as 'Mystery of State', 'Reason of State', 'Necessity of State', 'Interest of State', 'Virtue of State', 'Consideration of State', 'Chimera of State', 'Crime of State', give us an approximated idea of how the extreme richness of vocabulary of the seventeenth century regarding the 'Reason of State', rather than being a signal of a political redefinition of the religious sphere, is mainly an indication of a clear religious redefinition of the political sphere.

With a markedly ambiguous gesture, Naudé seeks to demystify the political secret understood as *mystery* and as *arcane*. His erudite, patient and delayed casuistry of the masterstrokes of State, allows him to bring to daylight the whole range of inventive political techniques in the mysteries of power. Thus, he is being both crude and cynical when he says:

Since therefore it is natural to most Princes to treat religion like mountebanks, and use it as a drug to maintain the credit and reputation of their Stage, one ought not in any opinion to blame a politician, if to accomplish some important affair, he have recourse to the same industry, thought it be more decent to say the contrary, and indeed to speak rightly

This from de vulgar should be hidden still

They are already versed enough in ill.⁸

By extending the perception of ‘mysteries’ and of ‘secrets’ of State to an audience so far prevented or unable to recognise them by itself, Naudé sets the stage for a radical *disillusion* of men and people, an indispensable condition to the institution of a body of positive political knowledge. It is therefore necessary for the darkness of the secret itself, which in fact by means of its obscure revelation becomes credible in the mind of the public, to be – to a certain point – demystified. This only to a certain extent since, in order for a secret to inspire respect and induce obedience in all who are willing to worship, it is necessary for it to keep an indestructible mystical halo – and not just a purely technical meaning. However, as Jean-Pierre Cavaillé rightly observes: ‘The political and religious culture of the secret holds the secret, in a non-mystical sense (although it attempts to emulate the opposite) but instead a strictly technical one, as a mandatory condition of its success or its theoretical knowledge and practical truth, that which allows it to truly establish itself’.⁹

The necessity to dissimulate (and, therefore, to also simulate), a fundamental requirement of the ‘extraordinary caution’ that characterises the concept of a coup d’état, explains the aporetic aspect of the naudénian project that is the *publication of the secret*, according to which the *arcana* should be both secret and public. Indeed, as shrewdly concluded by Peter S. Donaldson when discussing the paradox inherent to the dissemination and publicizing of political secrets: ‘The arcana can be published only if their publication

⁸ Cf. Gabriel Naudé, *Considérations politiques sur les coups d’État* [1639], édition établie par Frédérique Marin et Marie-Odile Perulli, précédée de *Gabriel Naudé*, par Sainte-Beuve (édition de Maxime Leroy) et suivie par *Naudaena* (texte établi par Lionel Leforestier) (Paris: Le Promeneur, 2004), pp. 169–170. English version: Gabriel Naudé, *Political Considerations upon Refin’d Politics, and the Master-Strokes of State, as Practised by the Ancients and Moderns*, translated into English by Dr. King (London, 1711), pp. 158–159.

⁹ Cf. Jean-Pierre Cavaillé, ‘Gabriel Naudé, la bibliothèque des coups d’État’, in *Dis/Simulations. Jules-César Vanini, François La Mothe Le Vayer, Gabriel Naudé, Louis Machon et Torquato Accetto – Religion, morale et politique au XVII^e siècle* (Paris: Honoré Champion Éditeur, 2008), p. 208.

somehow replicates the act of concealment or erasure from which political power arises'.¹⁰ A bold and clever gesture that Naudé saw in its predecessor Machiavelli and that a pious contemporary of Naudé, the philosopher Blaise Pascal, negatively formulated as follows:

It is important that the people do not realise the reality of the usurpation. It was introduced without reason, and it has become unreasonable. It is necessary that we make it seem authentic, eternal, and to hide its beginnings, in order to prevent its premature demise.¹¹

As Gabriel Naudé strongly emphasises, the *Considérations politiques sur les coups d'État* intend to address in a new and bold sense, all those political issues that cannot be publicly and widely revealed. It is, as he says, about to 'try to penetrate into the actions of Princes, and to lay that open and naked to view, which they always endeavour to conceal by a thousand artifices'.¹² 'To penetrate', in the political vocabulary of Naudé means 'to do the recital of so many deceits, tricks, violence, and other the like unjust and tyrannical actions (as they appear at first), which I must hereafter relate, explain and defend'.¹³

With the closed theorisation of the concept of coup d'état, Gabriel Naudé tries to bring a new dimension into the arena of theoretical *mysteries* of State, the *arcana imperii* and the *reason* of State, viscerally unspeakable, about the political practice, reorganizing in a daring way the different orders or degrees of vocabulary and political reality. Here is how he justifies his erudite endeavour:

We must go on and say, that the depravity of mankind is so great, and the means they make use of to obtain their designs so daring and hazardous, that to speak of the following politicks as practised nowadays, without mentioning these *Refinements*, is indeed to be ignorant of the proper Methods of instruction which Aristotle says are so essential.¹⁴

But the originality shown by Gabriel Naudé when unravelling the 'Mysteries of the State' by presenting and reviewing historical examples of 'coups', the

¹⁰ Cf. Peter S. Donaldson, 'Gabriel Naudé: magic and Machiavelli', in *Machiavelli and Mystery of State* (New York: Cambridge University Press, 1988), p. 164.

¹¹ Cf. Blaise Pascal, 'Pensées', in *Œuvres Complètes*, préface d'Henri Gouhier, présentation et notes de Louis Lafuma (Paris: Éditions du Seuil, 1963), pp. 507–508.

¹² Cf. Gabriel Naudé, *Considérations politiques...* p. 67; *Political considerations...*, p. 8.

¹³ Cf. Gabriel Naudé, *ibid.*, p. 68; p. 9.

¹⁴ Cf. Gabriel Naudé, *Considérations politiques...*, p. 72; *Political considerations...* pp. 15–16.

radical boldness of his gesture, consisted of having submitted the speeches of the doctrines of the ‘reason of State’ to a theory of political action derived not only from situations of need, but, as he repeatedly refers, an ‘extraordinary and absolute need’, meaning, an extreme or exceptional need, for ‘extraordinary remedies are to be applied to extraordinary diseases’.¹⁵

Thus, the ‘*coup*’, as Naudé conceives it, is an exceptional political action carried out by an ‘*esprit fort*’ (a virtuous and exceptional man) that violates the laws and rules in order to save the State. There is a secret provision within a ‘*coup*’, sudden, unusual, extraordinary, seemingly supernatural, of the *artificial miracle* order, because ‘in all the major political issues, as well as in all major illnesses, there is a *divinum quid* we cannot understand’.¹⁶

Let us analyse now the naudénian definition of the *coups d’État* (*master-strokes of State*):

Bold and extraordinary actions, which Princes are constrained to execute when their affairs are difficult and almost to be despaired of, contrary to the common right, without observing any order or form of justice, but hazarding particular interest for the good of the public”.¹⁷

In the same manner of the ‘*maxims* of State’, the ‘*master-strokes* of State’ are ‘an excess of the common law for the public good’ (*Excessum juris communis propter bonum commune*).¹⁸

However, Naudé emphasizes the distinction between the ‘*maxims*’ and ‘*coups*’ of the State. Both the former and the latter are policy instruments typical of an extraordinary dimension of the art of ruling and governing States, which the philosophical tradition sometimes calls *sophismata*, sometimes *arcana imperii*, or *reasons of State*. But ‘extraordinary’ here means that both proceed by means of undermining the common or positive law.

The ‘*maxims*’ refer to more or less lawful means which apply in accordance with the law and current customs, taking into account possible abuses. As for the ‘*coups*’, violating the common sense of justice and morality, they are properly rare and exceptional. It could be said that they stand with respect to ordinary policy in the same way that the miracles and other direct interventions of the gods stand with respect to the regular process of nature:

¹⁵ Cf. Gabriel Naudé, *ibid.*, p. 145; p. 121.

¹⁶ Cf. Gabriel Naudé, *Le Mascarat* [1649], in <http://gallica.bnf.fr/ark:/12148/bpt6k57698w>

¹⁷ Cf. Gabriel Naudé, *Considérations politiques...*, p. 104; *Political considerations...*, p. 59.

¹⁸ Cf. Gabriel Naudé, *Considérations politiques...*, p. 104; *Political considerations...*, p. 59.

Experience teaches us, that all such things as are wonderful and extraordinary are not seen every day, comets don't appear but at the distance of some ages, monsters, deluges, eruptions of the Vesuvius, and earthquakes happen rarely, and this uncommonness of the appearance gives a lustre and beauty to abundance of things which suddenly lose it when they become too frequent.¹⁹

But the decisive difference between 'maxims' and 'coups' of State resides in that all which is achieved through 'maxims' presupposes legitimacy prior to action, requiring causes, reasons, justifications and explanations. In short, the 'maxims' of a process are instructed before its execution, while everything that comes by way of 'coups' should be kept secret until the moment of execution, since its reason for being and the principle of its justification lie in its success. Absolute secrecy is, therefore, the condition of the success of the 'coup', and this is what explains that in its mode of operation, action will necessarily surface prior to legitimate reason.

Within a political act in accordance with the 'maxim' of State, action is legitimate and transgressive, and as such, fully understood without any need for secrecy. The implementation here is preceded and accompanied by a justification that appeals to political rationality at the same time that the sequence of operations occurs in accordance with this rationalization. In the political act in accordance with the 'coup', on the other hand, legitimisation and rationalization of the act is retrospective, because it is secrecy and surprise that makes it possible in the first place. While the 'maxim' violates the law, but keeps still within the limits of political rationality, mingling its logic with the so-called 'good' or 'real' reason of State, the 'coup' violates the law and the general rules that structure the science of government, while it 'hits' the rules of the same reason of State, since the authentic and real 'reason of State' is here the 'coup'.

Hence, the political justice eventually contained in the 'coup' can be demonstrated only in retrospect, because at the very moment – striking and terrible – of the 'coup,' no justice and not even any rationality are present. In his *Discourses upon the first ten (books) of Titus Livy*, Machiavelli gives us a formula that can help us understand the aporetic nature of the naudénian 'coup':

It is well then, when the deed accuses him, the result should excuse him; and when it is good, as that of Romulus, he will always be excused; for he ought

¹⁹ Cf. Gabriel Naudé, *Considérations politiques...*, p. 113; *Political considerations...*, pp. 70–71.

to be reprehended who is violent in order to destroy, and not he who does so for beneficial reasons.²⁰

In contrast with the ‘maxims’ of state, which may be made public before the action, the cardinal rule of the ‘coups’ of State is that they must be kept secret until the end. Thus, with respect to the ‘master-strokes of State’, Gabriel Naudé writes:

the thunderbolt falls before the noise of it is heard in the skies, *ante ferit quam flamma micet*, prayers are said before the bell is rung for them; the execution precedes the sentence, he receives the blow that thinks he himself is giving it; he suffers who never expected it, and he dies that looked upon himself to be the most secure; all is done in the night and obscurity, among storms and confusion, the goddess Laverna presides, and the first grace requested of her is this,

Make me a saint and just to human sight,
But wrap my cheats in clouds, and crimes in night.²¹

In effect, within the secret nature of the ‘coup’, the secret is not just the *condition* of the act; it is also, paradoxically, a *property* of the act itself. Thus the most important practical secret, which is always exceptional, unpredictable, often connected to the nerves of the circumstances, unrepeatable in its very core, an example devoid of exemplarity, is the secret that is revealed in the very act of the ‘coup’. But the secret nature of the ‘coup’ is even more complex, not least because there are no ‘action maxims’ that can be recurred to. The very generalization implied in the concept of ‘maxim’ is impossible in a ‘coup’, because knowledge can only be retained – after the coup, of course – from singular examples. That is why it is impossible to establish a true science of the ‘coup’, but instead we can only speak at most of a prudential knowledge about the ‘coup.’ The political action, and even more so the action which is executed during the ‘coup’, since it is unpredictable, rare, closely related to the nerves of the circumstances, somewhat unrepeatable because it is unique, then it escapes rational systematization by definition. Hence its critical status, since it is impossible to define permanent rules of

²⁰ Cf. Niccolò Machiavelli, ‘Discorsi sopra la prima deca di Tito Livio’, I: 9, in *Opere de Niccolò Machiavelli*, a cura di Ezio Raimondi (Milano: Ugo Mursia Editore 1996), p. 149. Original: ‘Convieni bene che, accusandolo il fato, lo effeto lo scusi; e quando sia buono, come quello di Rómulo, sempre lo scuserà: perché colui che è violento per guastare, non quello che è per racconciare, si debbe riprendere.’

²¹ Cf. Gabriel Naudé, *Considérations politiques*...pp. 104–105; *Political considerations*...pp. 59–60.

action in a world ruled by the whims of fortune. At best, the process of the 'coup' can be described metaphorically and analogically by analysing historical examples (this is already one of the 'methods' of Machiavelli), which is to say, the subsequent narrative reconstructions which are, after the 'coup', the intrinsic logic behind the act or its 'effective political truth'.

The 'coup', or the state secret in the sense that Naudé attributes to it, constitutes therefore what is most obscure and unpredictable in politics, but at the same time, it is also what is more resplendent, the brightest thing to arise precisely from that which is dark, sinister and grotesque. This is why the burst of light provided by the 'coup' would be impossible without the night, without the impenetrable secret that engendered it, as the cloud engenders lightning, in agreement, moreover, with a metaphor often used by Gabriel Naudé. The 'extraordinary caution' that characterizes the 'coup d'état' is then the ability to act *in* secret and to act *on* secret, but also in the absence of rules – safe, clear, visible rules – the ability to act and decide amidst the thickest mist, that is to say, 'blind'. Therefore, if by chance there is a prudential wisdom regarding the 'coup', not only is that knowledge one that must be kept secret (because it is dangerous in itself and because, somehow, is not voluble to repetition, as the whim and fickleness of fortune), it is also, given its own empirical condition, a self-segregating sort of practical knowledge. Hence its mystery. The 'mystery of the State' or a 'State secret' contained in any real 'coup d'état'.

Chronology (Ernst H. Kantorowicz)

1895	Born in Posen (capital then of a Prussian province), May 5.
1914–1918	He served in World War II (France, Russia and Turkey).
1919	He studies economics and history at the universities of Berlin, Munich and Heidelberg.
1921	Under the German cultural historian and economist Eberhard Gothein (1853–1923) he wrote his doctoral thesis (till now unpublished) on <i>Islamic Corporations (Das Wesen der muslimischen Handwerkerverbände)</i> . Dissertation. Heidelberg)
1930–1932	<i>Honorary professor</i> (Professor without salary) at the University of Frankfurt am Main.
1932–1933	<i>Ordinarius Professor</i> at the University of Frankfurt am Main. His tenure was short. With the Nazi's advent to power and the racial laws of the new German regime, he definitely lost his chair of mediaeval and modern history and was forced into retirement.

- 1934 He took up a teaching position for a short time at Oxford where he gave lectures at St. John's College.
- 1939 He emigrated to the United States of America and joined the history faculty of the University of California at Berkeley.
- 1949 On 14th June he read a statement on the floor of the university's Academic Senate in which he explains his refusal to sign the loyalty oath required of all University of California employees.
- 1950 He publishes *The Fundamental Issue: Documents and Marginal Notes on the University of California Loyalty Oath*. He was relieved of his professorship because of his refusal to sign the loyalty oath.
- 1951 He accepts a professorship at the Institut for Advanced Study and spend the last twelve years of his life in Princeton.
- 1963 He suffered an aneurism at age 68 and died at his home.

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the *Ergänzungsband* was not reprinted until the photocopied two-volume edition of 1963 (Dusseldorf und München: Verlag Helmut Küpper Vormal's Georg Bondi), with some changes in the front matter of the *Hauptband*. Both volumes were printed (reset in different font) in 1994 (Stuttgart: Kletta Cotta).

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Adelaide D'Auria, La vicenda umana e intellettuale di Ernst Hartwig Kantorowicz. Dalla doppia appartenenza al «doppio corpo del re» e la sua evoluzione (Rome: Aracne, 2013)

Chronology (Gabriel Naudé)

1600	Birth of Gabriel Naudé at Paris on February 3.
1620	He enrolls at the University of Padua.
1629	He became librarian to Cardinal di Bagni at Rome.
1633	He receives his doctor degree at Padua.
1641	He became librarian to Cardinal Francesco Barberini
1642	Naudé returns to France.
1643	Opening of Cardinal Mazarin's library to the public.
1652	Naudé arrives at the Swedish court.
1653	Death of Gabriel Naudé at Abbeville.

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2. PERCY ERNST SCHRAMM (1894–1970): THE SYMBOLS OF POWER AND THE POWER OF SYMBOLS

Jaume AURELL

Percy Ernst Schramm is considered one of the most outstanding historians of the twentieth century.¹ Trained in the context of the spirited cultural world of the end of the Second German Empire and first phase of the Weimar Republic, his keen analytical ability, comprehensively interdisciplinary approach, and sophisticated interpretive skills embodied the most valued qualities of German academics of the era. His research centred on textual, iconographic and liturgical representations generated by rulers, as well as on the analogical meaning of their rites and ceremonies, and especially on the symbolic value of royal and imperial insignia. He was also interested in the forms through which political ideas and liturgical practices were transmitted from the late Roman Empire to the later Middle Ages. Schramm is considered the founder of systematic research into the political use of iconography by the leaders of society. He implemented these approaches by combining the disciplines of political history, anthropology

¹ Translated by David Ronder. This article has been produced within the framework of two projects: 'Teología política de las monarquías hispanas bajomedievales', financed by the Spanish Government's Ministerio de Economía y Competitividad del Gobierno (ref. HAR2011–30265) and "Religión y Sociedad Civil", led by Montserrat Herrero of the *Instituto de Cultura y Sociedad* (ICS), University of Navarra (Spain).. I thank Janos M. Bak and Teófilo F. Ruiz for their generous advice. The most important works on Schramm's life are David Thimme, *Percy Ernst Schramm und das Mittelalter. Wandlungen eines Geschichtsbildes* (Göttingen: Vandenhoeck & Ruprecht, 2003) and Janos M. Bak, 'Medieval Symbolology of the State: Percy F. Schramm Contribution', *Viator* 4 (1973), pp. 33–63, who also published other relevant pieces on Schramm's life and works, particularly on his scholarship, which I will quote in this article. Other minor sources include: D.S. Derwiler, 'Percy Ernst Schramm, 1894–1970', *Central European History* 4 (1971), pp. 90–93; Gray C. Boyce, 'Percy E. Schramm', *American Historical Review* 76 (1971), pp. 961–962. See also *Festschrift Percy Ernst Schramm zu seinem siebenzigsten Geburtstag von Schülern und freunden zugeeignet* (Wiesbaden: Franz Steiner Verlag GMBH, 1964), 2 vols, with a very detailed bibliography in 2: pp. 389–321.

and the history of art to unravel their deep symbolism. He also made notable contributions to military history (stemming from his experience in the German High Command during the Second World War) and to social history, through his work on the Hanseatic city of Hamburg in the Middle Ages.

Formative Years: From the History of the Spirit to the Symbolology of Power (1894–1922)

Schramm was born on 14 October 1894 and grew up in a cosmopolitan, bourgeois Hamburg family. He himself provided evidence, through his research, of the nine generations of burghers and political leaders of the city of Hamburg who preceded him. His father was the last link in this solid chain, exercising the office of mayor of this Hanseatic city. He spent a normal childhood and adolescence, in well-to-do circumstances, marked by an Anglophile air. He received an education typical of the time, in the slightly precious but serene atmosphere of the final years of the Second Empire.

The unleashing of the Great War in 1914 cut this idyll short. Moved by patriotism, he enlisted in the German Army, where he served as a cavalry captain. There he became convinced of the futility of war. After the war, he suffered the consequences of the Empire's collapse and the political and economic instability of the first phase of the Weimar Republic.² During the inter-war period, he supported the forces of conservatism, as did many middle class professionals and particularly many of his fellow historians, who feared Bolshevik revolution more than right-wing nationalism. He therefore backed the political course set by Paul von Hindenburg, the President of the last years of the Weimar Republic, just before the Nazis came to power.

His interest in history had emerged in his secondary school years and was consolidated at university. He began his university studies in elite German institutions such as the Universities of Munich and Heidelberg. Three major influences stand out in his education during the years before the war: the Warburg school, the traditional German *Geistesgeschichte* ('history of the spirit') school, and his studies of the symbolology of power. Schramm quickly became associated with the first of these, the Warburg school. Janos Bak explains the origins of this fruitful association:

² For this intellectual context, see Peter Gay, *Weimar Culture: The Outsider as Insider* (New York: Harper & Row, 1968); Walter Laqueur, *Weimar. A Cultural History 1918–1933* (London: Phoenix, 1974); Eberhard Kolb, *The Weimar Republic* (Oxford: Routledge, 2005).

A lecture on the image of rulers in the early Middle Ages given in 1923 at the Warburg Library in Hamburg marked the inauguration of Schramm's iconological research. The choice of place was no coincidence, for the work done at the library and the writings of the circle of Aby Warburg, including Ernst Cassirer, Fritz Saxl, and Erwin Panofsky, were crucial for Schramm's initial orientation and scholarly development.³

Indeed, he soon befriended the Aby Warburg, art historian and tireless advocate for the recovery of the ancient world through historical study, who had built an influential library in Hamburg around which important scholars gathered.⁴ Her influence led him to iconographic and textual sources, creating an interesting methodological contrast with his friend Ernst Kantorowicz. The latter's membership in the poet and visionary Stefan George's circle meant that his main intellectual and spiritual inspirations were mostly found in literary, poetic and hagiographic sources.⁵

But the historiographical tradition of *Geistesgeschichte* – 'history of the spirit', in the 'cultural and intellectual' sense – significantly influenced Schramm, coming as it did from Hegelian idealism and centring on analysis of ideas of the past, their theoretical formulation, and their articulation in literature and art. This approach, based on a belief that spiritual, cultural and artistic manifestations were more important than social and material forces, was predominant in the study of the humanities in Germany from 1890 until 1933.

However, the third strand in his intellectual formation, his focus on the symbols of power, came from the influence of the historian Walter Goetz. Goetz was a disciple of Karl Lamprecht, a prestigious historian who had opposed the omnipresent, influential and vehemently conservative historian Friedrich Meinecke in his elevation of *Geistesgeschichte* over the more materialist and social-scientific orientation of Lamprecht's history. Schramm probably intuited that Lamprecht's thoughts (via Goetz) would balance traditional German *spiritual* history with the new materialist tendencies. He could thus analyse the emotional texture of medieval subjects' loyalty of to their rulers along with the notion of power in its multiple representation,

³ János M. Bak, 'Percy Ernst Schramm (1894–1970)', in *Medieval Scholarship: Biographical Studies on the Formation of a Discipline, Volume 1: History*, Helen Damico and Joseph B. Zavadil, eds (New York: Garland, 1995), pp. 247–262 (here, p. 251).

⁴ Ernst H. Gombrich, *Aby Warburg: An Intellectual Biography, with a Memoir on the History of the Library by F. Saxl* (London: The Warburg Institute, 1970).

⁵ Joseph Mali, *Mythistory: The Making of a Modern Historiography* (Chicago: The University of Chicago Press, 2003), pp. 201–202.

and avoid the more anodyne aspects of the field (political and administrative history).

He completed his doctorate at Heidelberg in 1922, under the direction of Karl Hampe, whose immense reputation as the leading historian of the Holy Roman Empire had probably attracted him there in the first place. Working alongside Hampe was his principal disciple, Friedrich Baethgen, who also enjoyed considerable prestige as a specialist of the medieval German Empire. Schramm's thesis was on Otto III, who died in 1002, and his research on the topic provided him with a great deal of material that he would use in later years.

Period of the Great Monographs: From Otto III to the Coronations (1923–1939)

In 1925, Schramm married Ehrengard von Thadden (1900–1985), the daughter of a well-known and prosperous Prussian family. A historian specialising in modern Greece, she sponsored and supported many Greek historians who came to Germany in the years after the Second World War. An active and civic-minded woman, she also served as a member of the Lower Saxony state parliament, representing the Social Democratic Party. The couple had three sons: Jost practised as an architect in Hamburg, the city where the Schramm line originated; Gottfried was Professor of History at Freiburg (Breisgau); Gebhard was an engineer.

Between 1923 and 1926, Schramm worked with Harry Bresslau on the great test laboratory and formative workshop of medieval studies in those years, the *Monumenta Germaniae Historica*, devoting himself to editing the cartularies of Emperor Henry III. This period of intense dedication to analytical research completed his training as a historian capable of combining extraordinary erudition with outstanding interpretive ability.

His first significant publication centred on the images on seals, coins, manuscripts, and other objects owned by German kings and emperors between 751 and 1152.⁶ The article's systematic analysis of those images is extremely valuable from a documentary point of view. In fact, it served as the starting point for Schramm's later reflections on continuity and change in the early medieval centuries, as well as on the political use and

⁶ Percy E. Schramm, *Die deutschen Kaiser und Könige in Bildern ihrer Zeit, 1: Bis zur Mitte des 12. Jahrhunderts (751–1152)* [The German Emperors and Kings in Images of their Age, I: To the Mid-12th Century, 751–1152], 2 vols (Berlin: B. G. Teubner, 1928).

symbolism of pictorial models and their transmission. From an iconographic perspective, Schramm's central contribution was most probably the analysis of royal images, viewing these as more than just portraits of actual persons, unveiling their potential and functionality as models: many of these images were created not to immortalise the particular rulers, but to demonstrate specific archetypal characteristics associated with royal and imperial dignity.⁷ Thus, the insignia, the posture and position of the principal figure in the images or the portraits acquired special importance. All of these expressed key ideas about the how the Carolingians and Ottonians' centralised political constructions were conceived.

In Heidelberg, he also wrote a massive habilitation thesis on German imperial ideology of the eleventh and twelfth centuries, setting out how medieval German emperors appropriated the iconography and history of the Ancient Roman Empire to strengthen their own authority. This work was published in 1929 as *Emperor, Rome and Renovatio: Studies and Texts on the History of Roman Ideologies of Renewal from the End of the Carolingian Empire to the Investiture Controversy*.⁸ This thesis was considered very original in its time as its interdisciplinary approach transformed the way medievalists had tackled the subject of political ideology until then. It was practical proof that history of art merited a place among the other disciplines that were academically established by that time, such as history and philology. It also emphasised the centrality of symbols and rites in articulating, describing, analysing, understanding, interpreting, and defining political ideologies.

Emperor, Rome and Renovatio blended Ancient and medieval concepts in its examination of imperial ideas during the Carolingian and Ottoman empires. The work emphasised an essential issue in Central European history, from the Carolingian idea of *renovatio imperii* to the formation of the Holy Roman Empire. Schramm maintained that the young dreamer Otto III and his teacher Gerber of Auricle (later Pope Sylvester) adhered fervently to the Christian aspiration to recuperate the grandeur of the Roman classical period. He thus contradicted the belief that the Ottonians were the engineers and founders of a specific German Empire based on deeply-rooted

⁷ Janos M. Bak, 'Schramm, Percy Ernst (1894–1970),' *Encyclopedia of Historians & Historical Writing*, ed. Kelly Boyd (London: Fitzroy Dearborn, 1999), II: pp. 1066–1067 (here p. 1066).

⁸ Percy E. Schramm, *Kaiser, Rom und Renovatio: Studien und Texte zur Geschichte des römischen Erneuerungsgedankens vom Ende des karolingischen Reiches bis zum Investiturstreit* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1962 (1929)).

and authentically Germanic traditions. Rather, he postulated that the idea and reality of Ancient Christian Rome influenced both Carolingian and Holy Roman intellectuals and rulers more than their own indigenous ideas. Their universalist-Christian ideas counted for more, then, than German-Imperialist ones. With this approach, Schramm challenged contemporary German nationalist and, more specifically, official Nazi historiography. This historical stance clearly demonstrates Schramm's imperturbable objectivity, evident from his very first historical publications, and applicable to both his medieval and his contemporary works. I will refer to the latter further on, in the context of the debate over Schramm's supposed Nazification.

Schramm based his research on written texts and also on images. A careful examination of the image of Otto III with his tributes and gifts inspired him to accept that Emperor's idea of *renovatio*, and convinced him of the value of a blended use of texts and images. From then on, he focused on manuscript miniatures, sacred images and the impact of Byzantine iconography on Latin culture. This textual/iconographic approach also influenced other medievalists of his generation, as can be observed, for example, in the masterpiece *The King's Two Bodies* by his Heidelberg friend and colleague Ernst Kantorowicz, who wrote a splendid account of the symbolic and political meaning of the portrait *Otto II in Majesty*.⁹

Schramm also revised some of the key notions of the Warburg school, in particular, the idea of the 'survival of antiquity'. He considered that theory too mechanical and rather anachronistic in relation to the European mind around 1000 AD. Schramm proposed a reading that was more linked to the deep classical and autochthonous (basically German and Slav) roots of medieval Central Europe. The coexistence and the tension between these two tendencies, alongside the classical tradition, forged the specific character of medieval ideas and institutions. Schramm proposed that the concepts of permanence and continuity needed to be considered simultaneously with those of change and transformation. The enormous wealth of medieval political symbology proves that the rulers and thinkers of the time were not simply static guardians of tradition but active agents in balancing respect for what had been inherited with openness to necessary innovations. This led them to create new symbols, transforming and reinterpreting the old ones, reshaping their forms to transmit new meanings. In this respect, the western realms contrasted with Byzantium, as that was a world of stability and

⁹ Ernst H. Kantorowicz, *The King's Two Bodies. A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1957), fig. 5.

continuity when it came to insignias and symbols – but a very influential one. As a result, he also collaborated with Byzantine historians such as André Grabar, seeking to open up new directions for comparative readings of the history of Latin and Greek traditions in the Middle Ages.

Schramm's interests then led him to coronation ceremonies. This was quite natural from a heuristic point of view, as these ceremonies enacted the transfer of rulership insignia to the new ruler. He was able to reconstruct these performances that brought highly symbolic political and theological allegories to life, because liturgical coronation *ordines* had been preserved. Coronations were also key sites for negotiation and transfer between the temporal and spiritual spheres. His initial examination of documentary sources was published in 1930, in a lengthy article on the *ordines* of imperial coronations.¹⁰ Here, Schramm presented a compilation, dating, and categorisation of the coronation orders of the West Frankish, Anglo-Saxon and German kingdoms, information that served as the basis for his later work.

His analysis of the coronation *ordines* gave his work with a broad comparative outlook, as he noted how many features of those *ordines* were common to other European monarchies. The ideas, customs, rites and symbolism were transferred between one kingdom and another with a certain assiduity, adapted to local needs as required. Apart from the problems in Germany between the final years of the Weimar Republic and the Nazi takeover, the 1930s were perhaps his most productive years from the point of view of medieval research. The topic of medieval coronations, which deployed texts and images as expressions of political power in the Middle Ages, served his commitment to interdisciplinary approaches to history. His first studies in this field focused on royal coronations in England, which he became interested in after he attended George VI's inauguration and coronation ceremonies at Westminster Abbey.¹¹ This study prompted his interest in European comparative history, which he would combine with his studies of

¹⁰ Percy E. Schramm, 'Die Ordines der mittelalterlichen Kaiserkrönung: Ein Beitrag zur Geschichte des Kaisertums,' *Archiv für Urkundenforschung* 2 (1930), pp. 285–390 [The *Ordines* of the Medieval Imperial Coronation: A Contribution to the History of the Empire]. For the subject and the coronation and Schramm's contributions, see the insightful article Janos M. Bak, 'Introduction: Coronation Studies – Past, Present and Future,' in *Coronations: Medieval and Early Modern Monarchic Ritual*, ed. J.M. Bak (Berkeley: University of California Press, 1990), pp. 1–15.

¹¹ Percy E. Schramm, *Geschichte des englischen Königtums im Lichte des Krönung* (Weimar: Bohlaus, 1937) [English edition, *A History of the English Coronation* (Oxford: Clarendon, 1937)].

coronations, symbolism and insignias in France and the Iberian Peninsula during the Middle Ages.

A second result to emerge from this turn to the topic of coronations was the publication, just before the start of World War I, of his *Der König von Frankreich* (*The King of France*, 1939), an impressive two-volume study of the coronations of the French kings.¹² Once again, Schramm's research into the medieval period was significantly connected to the historical context in which he was working. He published the book, with its undeniable appreciation for and interest in French political and constitutional development, just as Germany was invading France. At that time, other German medievalists were exhibiting flagrant presentism in their search for precedents that would legitimise that occupation, based above all on the Carolingian Treaty of Verdun. In a moment of German nationalist passion, Schramm demonstrated that his universal historiographical interests were diametrically opposed to such a narrow approach.

The book centres on the Frankish monarchy and the French kingdom, examining at length the machinery of election and how the monarchy was transformed from an elective to a hereditary one, from Charles the Bald to Saint Louis. The coronation ceremony acquired gravity over time, with the Archbishop of Reims maintaining a monopoly on the ceremony, which could only be held at the monastery of Saint-Denis. Schramm painstakingly traces the evolution of these ceremonies from its creation as a personal idea into an institutional one of the kingdom. It is interesting to compare this evolution, in terms of how the monarchy was conceived, with the one Kantorowicz would describe during his American exile. But *The King's Two Bodies* was based more on legal and canonical documents than on liturgical and iconographic sources. Schramm demonstrates how the French monarchy embodied the essence of the modern state, generating a monarchical state identified with the nation, something that did not happen in England (where the monarchy had much more difficulty because it was identified with the state) nor in Germany (where the monarchy, in this case the Empire, would not represent the nation until well into the nineteenth century).

¹² Percy E. Schramm, *Der König von Frankreich: Das Wesen der Monarchie vom 9. zum 16. Jahrhundert, ein Kapitel aus der Geschichte des abendländischen Staates*, 2 vols (Weimar: Böhlau, 1939) [*The King of France: The Essence of Monarchy from the 9th to the 16th Centuries: A Chapter from the History of the West European State*].

Nazism, the War, and its Aftermath

The Nazi rise to power in 1933 took Schramm by surprise: he was teaching at Princeton University when it happened. In principle, he sympathised with the National Socialist project of national renewal because of the hope of national regeneration that it implied. Besides, as Winfried Schulze explains, the conservative consensus within the historical profession proved highly receptive to a national or 'folkish' reorientation of the guild.¹³ Given the national-conservative outlook of most historians, important affinities existed between the profession at large and the National Socialist movement. Upon returning to Germany, however, he experienced the tension the new situation created. Nazi colleagues and local leaders criticised him for his international connections, his openness of mind, and his incorruptible historical objectivity. His fears and reservations about the Nazis were confirmed by the growing persecution of opponents and cruel anti-Semitic atrocities.

These events completely extinguished his initial (illusory) hopes for the Nazi regeneration programme and, to say the least, plunged him into intellectual and emotional uncertainty. Schulze recalls a conversation Schramm had with the Archbishop of Canterbury, which illustrates the confusion he felt in those years:

When the medievalist Percy Ernst Schramm met with the Archbishop of Canterbury in 1937, their conversation turned to the attitude of German professors toward National Socialism. Schramm tried to describe his own dilemma: He confessed that although he was not a member of the party, he had to ask himself every day how much he agreed with its aims and could never come to a definitive answer. One evening he found himself in agreement with the party, while another evening he was critical, and this ambivalence seemed to him typical of German intellectuals of the day.¹⁴

The situation grew more serious during the war, with the arrest and execution of his sister-in-law Elisabeth von Thadden because of her participation in the German Resistance. His family was investigated and, in the face of the

¹³ Winfried Schulze, 'German Historiography from the 1930s to the 1950s,' in *Paths of Continuity. Central European Historiography From the 1930s to the 1950s*, Hartmut Lehmann and James van Horn Melton, eds (Cambridge: Cambridge University Press, 1994), pp. 19–42 (here p. 27). The article provides an illuminating contextualisation of the historical profession and its stance towards the Nazis.

¹⁴ Schulze, 'German,' p. 28. Schulze also finds evidence of Schramm's opposition to the Munich Pact.

imminent danger, some friends found him a safe professional posting to the Wehrmacht as keeper of the official diary of the German High Command Operational Staff (*Wehrmachtfuehrungsstab*), where he served until the end of the war. Indeed, at the war's end, moved by his historian's conscience and against official orders, he salvaged those documents. His task was to maintain a detailed account of the General Staff's daily activities and decisions, including the highest-ranking officers in the German Army. Schramm therefore had privileged, first-hand access to the top-secret material of the German High Command. Later, he would take advantage of this experience as a historian, as also happened with the Allies, such as the American historians William Langer, Felix Gilbert, and Michael Foot during the Second World War, and Richard Pipes during the Cold War.¹⁵

In the immediate post-war period, Schramm divided his efforts between medieval research and editing and annotating the documents he had amassed during the war. The edition of the diaries on the activities of the High Command during the war, which he published years later, is still highly prized by military historians, though it generated a fierce controversy regarding his Nazi past and degree of ideological commitment.¹⁶ Although Norman Cantor denounced Schramm as a Nazi, and even as a 'war criminal', other historians, particularly his disciple Janos Bak, but also his biographer David Thimme and notably his contemporary Eric Voegelin, have argued that an official chronicler of military operations can hardly be accused of being a

¹⁵ William Langer served the American government during the Second World War in several Security Agencies such as the Government Informative Agency Research and Analysis and the OSS (Office of Strategic Services) during the Second World War, and he admits that this was an important experience for him not only as a citizen but also as a historian: William L. Langer, *In and Out of the Ivory Tower: The Autobiography of William L. Langer* (New York: N. Watson Academic Publications, 1977); Felix Gilbert served in Felix Gilbert's service in the American Office of Strategic Services: Felix Gilbert, *A European Past: Memoirs, 1905–1945* (New York: Norton & Company, 1988); Michael Foot served in the SOE (Special Operations Executive): Michael R.D. Foot, *Memories of an SOE historian* (Barnsley: Pen and Sword, 2008); Richard Pipes served in Ronald Reagan's administration as advisor for Russian and East European countries in the 1980's: Richard Pipes, *Vixi: Memoirs of a Non-belonger* (New Haven: Yale University Press, 2003).

¹⁶ Percy E. Schramm and Helmuth Greiner, eds, *Kriegstagebuch des Oberkommandos der Wehrmacht* 4 vols (Frankfurt: Bernard & Graefe, 1961–1965) [War Diary of the High Command of the Wehrmacht].

war criminal because he did not possess any decision-making or command capacity.¹⁷

Beyond Schramm's task as an editor of war-sources, the controversy over his Nazi past flared up again in 1962, as a result of his publication of a biography of Hitler as a military leader in which he describes him as a 'demon' but also notes, from a historian's perspective, the dictator's extraordinary human gifts.¹⁸ Schramm had dealt personally with the Führer and was speaking from his own experience. He aimed to contrast the patriotism and professionalism of the generals who had served him with Hitler's growing paranoia and irrationality as the war progressed. He thus sought to exonerate the military leaders and blame the disasters and the loss of the war on Hitler's growing fanaticism. The biography was, in fact, the introduction to Henry Picker's book *Hitler's Table Talk*, which was subtitled 'The Anatomy of a Dictator'.¹⁹ Critics and the press accused Schramm of offering an apologia for National Socialism. Other intellectuals took advantage of this public debate to focus on the problem of the lack of responsibility and conscience and, in a certain sense, the stupidity, idiocy and mediocrity of the cultural, intellectual and economic elites of the 1930s, who did not comprehend the Nazi threat when it began to emerge. Interestingly, this idea of the 'stupidity' of the elite emerged for the first time soon after, since at the end of the 1930s intellectuals such as Robert Musil clearly used it, particularly in his famous

¹⁷ Regarding Cantor's accusation that Schramm was a 'criminal war', see Norman F. Cantor, *Inventing the Middle Ages. The Lives, Works and Ideas of the Great Medievalists of the Twentieth Century* (New York: Morrow, 1991), p. 92.

¹⁸ Schramm portrait of Hitler, serialised in *Der Spiegel* in the early 1960's, sought to present a portrait of Hitler that gave rise to a heated debate, not just in *Der Spiegel* itself but also in other newspapers of national circulation, such as the *Süddeutsche Zeitung*. All this material was published as Percy E. Schramm, *Hitler als militärischer Führer: Erkenntnisse und Erfahrungen aus dem Kriegstagebuch des Oberkommandos der Wehrmacht* (Frankfurt am Main: Athenäum Verlag, 1962), a text which gained international exposure with the release of its English translation by Donald S. Detweiler: *Hitler: The Man and the Military Leader* (Chicago: Quadrangle Books, 1971). It is interesting to compare Schramm's portrait with the documented biography published by the British historian Allan Bullock some years before, to distinguish the value of a personal testimony (so often lacking the necessary equanimity and judgmental capacity) with a rigorous study, the product of years of research: Alan Bullock, *Hitler: A Study in Tyranny* (London: Penguin, 1990) (first published in 1952).

¹⁹ Henry Picker, *Hitlers Tischgespräche im Führerhauptquartier 1941–1942*, ed. Percy Ernst Schramm (Stuttgart: Seewald Verlag, 1963).

lecture entitled 'On Stupidity'.²⁰ The philosopher and historian Eric Voegelin provided the same reading of the situation in the lectures he gave in the summer of 1964 in Munich, which were extraordinarily well attended and were published in 1991 as *Hitler and the Germans*.²¹ This argument would be famously retaken by Hannah Arendt in the 1960s.²² Janos Bak concludes:

His writings on Hitler and his generals are characterized by the objectivity that was typical for his generation of German scholars. Hence, he was criticized and attacked by many, who expected a more passionate tone and stance against Nazism. But only Norman Cantor went so far as to accuse him of belonging to the company of war criminals.²³

In *Hitler and the Germans* Voegelin, who had emigrated to the United States to escape Nazi persecution, reflects on German attitudes, and particularly those of the country's political, religious and intellectual elites, towards Hitler and Nazism. In connection to the public uproar caused by the publication of Schramm's portrait of Hitler, Voegelin argues that Schramm was incapable of comprehending the Hitler's concept and style, allowing himself instead to be carried by 'stupidity' and mediocrity of so many Germans of his generation who did not oppose Nazism from the outset and did not see the truth until it was too late.²⁴

Detlev Clemens, one of the editors of Voegelin's *Hitler and the Germans*, believes that the problem with many of the intellectuals and politicians living through the Nazi horror was that they were incapable of grasping the reality of what was happening. He posits that a long process of German spiritual decline rather than an alleged connivance with the new regime was more to blame for the *apparent* complicity of those intellectuals and politicians with Nazism:

²⁰ Robert Musil, 'Sobre la tontería', en *Ensayos y conferencias* (Madrid: Visor, 1992), pp. 278–295 (lecture of Viena, 11 March 1937). The original edition is Robert Musil, *Gesammelte Werke* (Hamburg: Rowohlt, 1978).

²¹ Eric Voegelin, *The Collected Works of Eric Voegelin. Volume 31: Hitler and the Germans* (Columbia: University of Missouri Press, 1999).

²² Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Viking Press, 1963).

²³ Bak, *Encyclopedia*, p. 1066.

²⁴ Other German intellectuals used the epithet 'imbeciles' (Wilfried Wiegand, quoted in a letter by Voegelin from 1964: *Hitler and the Germans*, p. 56), although this in a contrary fashion, and also 'idiots' (Albert Wucher, quoted in a journalistic article by Voegelin from 1964: *Hitler and the Germans*, p. 60).

This also explains Voegelin's indignation with the helpless banality of Percy E. Schramm's characterization of Hitler [...]. If Schramm, of all persons, became the focus of Voegelin's mordant critique of German society, it was not because he suspected him of a secret affinity for National Socialism or of a deliberate playing down of Hitler. Rather, he singles out Schramm [...] as an example of how the German intellectual élite lacked the elementary concepts for an adequate judgment of Hitler. It would have been neither controversial nor worthwhile to accuse an inveterate Nazi of loss of reality or of moral degeneration, or of dehumanization. But the fact that Voegelin criticized the 'better' Germans, such as Schramm, and even those famous for their firm stand against National Socialism such as Cardinal Faulhaber, Bishop Neuhäusler, Pastor Niemöller, Rudolf Butmann, and others, showed the radicality of his thesis of Germany's deep intellectual and moral decline before, during, and still after the Nazi period.²⁵

Voegelin bases a good deal of his argument on the distinction between 'personal guilt' and 'collective guilt' – claiming that, in reality, the latter does not exist in the abstract, but only as a form of 'collective responsibility'.²⁶ Indeed, although he acutely diagnoses Germany's spiritual decline, he never accuses the Germans of being collectively guilty for the atrocities committed. Along with Karl Jaspers, however, he signals a people's collective responsibility for its past, and with it the need to face up to history with honesty and courage and make amends as necessary. But did not think it wise to accuse those who lived through a particular period and, through fear or incompetence, did not realize what was happening and were therefore unable to deal with its problems.

Voegelin concludes that while it is clear that Schramm took no direct part in the crimes of Nazism, no one can relieve him of the collective responsibility that many Germans bore for not challenging the system. Specifically, he refers to the university professors and army generals who did not resign their posts when they witnessed the arbitrary expulsion of their colleagues and the atrocities committed in the concentration camps and the racial purges, respectively. As he explains:

This kind of cooperation is participation in crime, which falls under the notion of accessory. The system cannot maintain itself if people in individual situations

²⁵ Detlev Clemens, 'Editor's Introduction', Voegelin, *Hitler and the Germans*, pp. 16–17.

²⁶ Voegelin, *Hitler and the Germans*, p. 76.

do not cooperate but offer precisely resistance on moral grounds. Where that does not happen, we have precisely the condition or moral degeneration.²⁷

Schramm did not really have the moral nerve to resist Nazism, as Voegelin convincingly argues for the majority of the Germans at that time. Clearly, the whole debate regarding Schramm's supposed collaboration with Nazism needs to be discussed in a more global and collective context, full of moral implications.

The Maturation Period: The Great Compilations (1945–1970)

The end of the war brought peace, but also required a process of denazification. Schramm was temporally relieved of his university duties because of his membership of the Nazi Party and for having served in a position of authority.²⁸ However, with the progress of denazification, he was reinstated and took up his Chair at Göttingen at the end of the 1940s. At that time, he completed his work on the comparative cycle of medieval coronations (of the German emperors and the French and English kings and queens) with a study of the insignia of the Castilian and Aragonese monarchs in the Iberian Peninsula.²⁹ In all these studies, Schramm demonstrated great skill in examining the intricate processes of mutual influences between the religious and political spheres, as well as the many interrelations between those European kingdoms and their ease in modifying forms and ideas to adapt to local conditions.³⁰

²⁷ Voegelin, *Hitler and the Germans*, p. 236.

²⁸ Schramm had been appointed to the Chair of History at the University of Göttingen in 1929 because of his habilitation thesis on Otto III, which looked upon favourably by the celebrated early modern historian Karl Brandi. Except for the brief period of exclusion immediately after the war, he remained at Göttingen until his retirement in 1963, although he carried on working on his historical projects until his death in 1970.

²⁹ Percy E. Schramm, *Las insignias de la realeza en la Edad Media española* (Madrid: Instituto de Estudios Políticos, 1960). Schramm always had a special interest in the development of the Iberian Peninsula in the Middle Ages – above all the kingdoms of Castile and Aragon and the county of Barcelona. He contributed with article on a key Catalan historical figure in the prestigious 'biografies catalanes' collection, edited by the Barcelona historian Jaume Vicens Vives in the 1950s: Percy E. Schramm, 'Ramon Berenguer IV', in Schramm, Joan-F. Cabestany, Enric Bagué, *Els primers comtes-reis* (Barcelona: Teide, 1960), pp. 7–51.

³⁰ Regarding the transformation of temporal and spiritual values and forms, it is possible that Schramm use Carl Schmitt's concept of political theology. Ernst Kantorowicz clearly used it, since he chose it for the subtitle of his text ('The King's Two Bodies. A Study in Mediaeval

All this work amounted to an impressive collection of documentary evidence on royal symbolism in Europe, published in the three volumes of *Ruler's Insignia and State Symbology: Contributions to their History from the 3rd to the 16th Centuries*.³¹ This work, defined by some as a great 'encyclopaedia of kingship', was an impressive compilation of the functions of objects related to the articulation of the dignity of not only the highest rulers, but also of other individuals invested with other forms of authority, such as judges, prelates and officials.³² The ruling order used these emblems and insignia – which included regalia, seals, coins, armaments, clothing, mitres, tiaras, golden bows, rings, swords, lances, sceptres, crowns, and other objects – to demonstrate and consolidate their authority. Their geographical reach was truly universal, from the British Isles to Byzantium, from Sicily to Scandinavia.

Schramm carried on working tirelessly, now directing his attention to 'signs' (*Zeichen*) that these objects represented and symbolised as 'visible emblems of invisible office'.³³ He began by producing articles that focused on specific topics, such as royal insignia, enabling the historian to experience medieval rulers' perception of their own office from the inside. His attention was directed primarily at Emperor Frederick II, a biography of whom Kantorowicz had already written before the war. Significantly, Schramm dedicated the book to him.³⁴

Following his study of royal insignia, in 1958, Schramm published a specific study on the sphere, globe and orb as royal insignia and symbol.³⁵ Schramm revisited the classical debate on the survival of Antiquity, a subject typical of the early days of the Warburg school, with obvious references to Antonio Momigliano.³⁶ What is more, the book's subtitle, *Wanderings*

Political Theology'). Evidence of this would shed new light on Schramm's theories. On the concept of Schmitt's political theology, see Montserrat Herrero López, *El 'nomos' y lo político: la filosofía política de Carl Schmitt* (Pamplona: Eunsa, 1997).

³¹ Percy E. Schramm, *Herrschaftszeichen und Staatssymbolik: Beiträge zu ihrer Geschichte von dritten bis zum sechzehnten Jahrhunderts*, 3 vols (Stuttgart: Hierseemann, 1954–1956).

³² Cantor, *Inventing*, p. 113.

³³ Bak, 'Percy', p. 254.

³⁴ Percy E. Schramm, Josef Deér and Olle Källeström, *Kaiser Friedrichs II: Herrschaftszeichen* (Göttingen: Vandenhoeck & Ruprecht, 1955) [The Insignia of Emperor Frederick II].

³⁵ Percy E. Schramm, *Sphaira, Globus, Reichsapfel: Wanderung und Wandlung eines Herrschaftszeichens von Caesar bis Elisabeth II* (Stuttgart: Hierseemann, 1958) [*Sphaira, Globus, Reichsapfel*: Wanderings and Metamorphoses of an Insigne from Caesar to Elizabeth II].

³⁶ See, for instance, Arnaldo Momigliano, *The Classical Foundations of Modern Historiography* (Berkeley: University of California Press, 1990).

and *Metamorphoses of an Insigne from Caesar to Elizabeth II*, illustrated Schramm's ability not only to engage different realms and epochs of the Middle Ages, but also his craft in realising works that took the long view – something that historiography would rediscover in the late twentieth century with a profusion of works subtitled 'Medieval and Early Modern'.

One of Schramm's final books, written with an art historian Florentine Mutherich, was *Monuments of the German Kings and Emperors*.³⁷ This text contains a splendid illustrated catalogue of many hundreds of objects connected with the Frankish-German rulers from the early Middle Ages to the time of Frederick II. The study includes not just the objects used by the king for representational purposes, known as 'insignia', but anything connected with royal authority. Indeed, Schramm devoted the introductory study in this volume to what constituted the 'orad' (*Hort*) of a medieval ruler. Bak insightfully argues that this volume seemed to close the circle begun half a century earlier, in 1929, when in his first great book, *Kaisern, Rom und Renovatio*, Schramm had referred to the famous illuminated double page of an Ottonian Gospel book, depicting the emperor presented with tributes and gifts, which seemed not only to summarize the ideas inherent in Otto III's renewal, but pointed to a series of problems central to the understanding of medieval rulership. Taking this depiction as the origin of Schramm's interest in symbolism, images, signs and royal insignia, Bak concludes:

One might say that, with the *Denkmale* volume, the questions raised by the Otto-miniature received their answers. The program set out by Schramm fifty years before has been well-nigh fulfilled, at least for the medieval empire and – partially – for the major countries of Europe. Most of the objects, images, texts, and staged actions of kings and emperor were inspected and analyzed: a symbology of the medieval state had been outlined.³⁸

This monograph closed the cycle. Apart from this interest, Schramm also devoted time and effort to two marginal yet important subjects. First, he enacted a detailed historical study of his own city, Hamburg, especially during the early modern period, focusing on the Hanseatic orientation of its burghers, tradesmen and citizens.³⁹ Significantly, Schramm worked in this

³⁷ Percy E. Schramm and Florentine Mutherich, *Denkmale der deutschen Könige und Kaiser*, 2 vols (München: Prestel, 1962–1978).

³⁸ Bak, *Encyclopedia*, p. 1066.

³⁹ Percy E. Schramm, *Hamburg, Deutschland und die Welt: Leistung und Grenzen hanseatischen Bürgertums in der Zeit zwischen Napoleon I. und Bismarck. Ein Kapitel deutscher Geschichte* (München: G.D.W. Callwey, 1943). [Hamburg, Germany, and the

project in the years before and during the war, when the German bourgeoisie and traditional urban values were being attacked by Goebbels. Second, he researched on the last three hundred years of his family history, which was highly valued as an excellent example of the genre of genealogical family histories.⁴⁰

In the final years of his life, Schramm devoted himself to compiling all his studies on medieval royalty into several volumes.⁴¹ Here, he enriched his own work with new documentary details and interpretations, adding to and updating the bibliography, and introducing personal memories to enliven the reading.

Conclusions

Schramm's entire work may be seen as an expression of his nostalgia for the German Empire lost as a result of the First World War. He turned to medieval royalty, in all its splendour, as an alternative model to the communism whose rampant barbarism and materialism he considered a great threat to Western traditional values. He also rejected the Weimar Republic's liberal democracy, believing that it had brought chaos to the country, recklessly putting it in danger of tending towards the communist left. Yet, beyond this presentist view of his research, which he shared with Kantorowicz, Schramm has left an impressive body of historical work. He managed to trace, at the deepest but also the widest level within European space, the meaning and symbolism of medieval rulers' insignia, as well as the interrelation between secular and spiritual concepts. He combined analysis of texts, images, rites and insignia, four facets that had traditionally been interpreted separately by historians, art historians, liturgists, and antiquarians.

Schramm testified to the rich allegorical, analogical and metaphorical language of medieval culture, presenting thousands of instances of this type of discourse. He always emphasised the 'unique ability of medieval men to

World: Achievements and Limits of Hanseatic Burghers between Napoleon I and Bismarck. A Chapter of German History].

⁴⁰ Percy E. Schramm, *Neun Generationen: Dreihundert Jahre deutscher 'Kulturgeschichte' im Lichte der Schicksale einer Hamburger Bürgerfamilie (1648–1948)*, 2 vols (Göttingen: Vandenhoeck & Ruprecht, 1963–1964) [Nine Generations: Three Hundred Year of German Cultural History in the Light of the Fate of a Hamburg Family of Burghers, 1648–1948].

⁴¹ Percy E. Schramm, *Kaiser, Könige und Päpste: Gesammelte Aufsätze zur Geschichte des Mittelalters*, 4 vols (Stuttgart: Hiersemann, 1968–1971) [Emperors, Kings, Popes. Collected Studies on The History of the Middle Ages].

dress the invisible mysteries in a visible garment and to spy out the hidden invisible meaning in the visible object'.⁴² All the objects connected with rulers have their symbolic meaning: they are graphic references to abstract notions, rather than merely objects meant to look beautiful. Thus, content dominates over form. In this sense, Schramm long sustained the traditional position of an antiquarian who provides a systematic and exhaustive survey of the evidence. Along his journey of collection of evidence, and usually without declaring it explicitly, he created a vital interdisciplinary methodological frame. Provided with the universal curiosity, analytical ability, and interdisciplinary approach typical of scholars trained during the interwar era, he produced an amazing body of erudition and wisdom on the concept of rulership in the Middle Ages, its signs, its symbology, and its forms of presentation and representation.

One of the most notable aspects of Schramm's research method was his ability to assimilate enormous quantities of information, both documentary and bibliographical, and his skill in connecting texts with images. His students have testified to his skill as a speaker, marked by an impressive ability to tell stories. He and his wife made their house a welcoming centre of academic pilgrimage for students and researchers from Germany and abroad.

Though they are perhaps both among the most important medievalists of the twentieth century, Schramm never became as well known as Kantorowicz. In my view, this is due above all to his having remained in Germany, and publishing his books in German, in contrast to the fame Kantorowicz achieved through his tenure at two of the most prestigious and well-known universities in the second half of the twentieth century, the universities of Berkeley and Princeton. In any case, the quality of Schramm's work, the balance of erudition and interpretation, owed a great deal to his experiences as an academic of the Warburg school, whose beginnings date back precisely to Weimar Hamburg. More specifically, *Emperor, Rome and Renovatio* was born of the particular multi-disciplinary atmosphere that Schramm encountered in that Institute, and within which the work was published. There he was able to benefit from such multi-faceted figures as Ernst Cassirer, Fritz Saxl and Erwin Panofsky.

Schramm can hardly be said to have left a school as such, though his works have inspired many medievalists in the twentieth century and continue to do so in the twenty-first. Among his direct disciples, perhaps we can count

⁴² Schramm, *Kaiser, Könige*, 4/2: 671, quoted and translated by Bak, 'Percy', p. 258.

Berent Schweinöcker and Donald Detweiler, who were his students in his early years at Göttingen. However, Schramm, along with his contemporaries and similarly admirable historians Ernst Kantorowicz and Carl Erdmann, has left an enduring legacy not only to medievalists but also to historians, art historians and anthropologists in general: the importance of symbols, liturgical ceremonies, gestures and images as sources for political history. A mysterious but genuine link binds this generation of inter-war German historians with research on post-modern symbolic anthropology led by Clifford Geertz in the twenty-first century.

Chronology

1894	Born in Hamburg, October 14.
1922	He completes his doctoral studies at the University of Heidelberg.
1923	He lectures at the Warburg Library in Hamburg.
1925	He marries Ehrengard von Thadden.
1929	He is awarded a chair in history at the University of Göttingen.
1963	Retirement.
1970	He dies in Göttingen, November 21.

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3. WALTER ULLMANN (1910–1983): THE LIMITATIONS OF MEDIEVAL LEGAL HISTORY*

Israel SANMARTÍN

In this essay, I will explore the life and work of Walter Ullman, specifically his engagement with the idea of political history, which he links to ‘legal history’ and political theory. Ullman’s work established the foundations of what later came to be known as ‘New Political History’, in which contexts play an important role together with both events and the study of concepts. I will examine his academic contributions taking into account both Anglo-Saxon and Latin authors and bibliography. My purpose involves incorporating Latin postulates and bibliography into the ‘official’ debate on European political theory. To this end, I will deploy the notion of geo-epistemology, which provides us with a tool to reflect on Ullmann as an émigré author and as an intellectual who projects continental notions onto an English reality.

This paper will provide a glimpse into the life, work and ideas of Walter Ullmann, locating it in its historiographical and historical context. The study will focus on his ethnicity, the historical moment he lived through and the importance of his more than 400 books, articles and reviews, wherein he developed his principal topics: the connections between government and power. I will conclude with reflections on the location of knowledge and the functioning of such concepts as ‘state’, ‘law’ or ‘individual’ in medieval society. I will also privilege Ullmann’s fundamental matrix on both history and historiography from a ‘peripheral’ perspective”.

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Notes for an Intellectual Biography

Walter Ullmann (29 November 1910, Pulkau–18 January 1983, Cambridge), was an Austrian historian who went into exile in the United Kingdom in the 1939 because of Nazi persecution of the Jews. Though his family had converted to Catholicism generations earlier, his ethnicity continued to endanger him. In time, he became a renowned historian for his work on medieval political thinking.

Ullmann was the son of a doctor. He studied classical languages in Horn and later specialized in law in Vienna and Innsbruck. He was a criminal lawyer and a professor at the University of Vienna between 1935 and 1938. In 1939, after reaching England, he began working as a teacher at a Catholic school in Leicestershire. In 1940 he joined the Army to fight in the Second World War. He served in the Corps of Engineers for three years until health problems forced him to retire. After the war, he got a job as a professor of medieval history at the University of Leeds, which he left in 1949 to teach at the University of Cambridge, and within this university, he began to work at Trinity College in 1972. Ullmann became a major authority on medieval political thinking, particularly on what is known as legal history. He was awarded a readership in 1957, the degree of LittD in 1958, a fellowship of Trinity in 1959, an *ad hominem* chair in 1966, a fellowship of the British Academy in 1968, and the chair of medieval history in 1972.

His academic career is the story of a success. As well as a very large number of publications (books, papers in the most prestigious journals, reviews), supervision of doctoral dissertations (notably that of Janet Nelson) and his teaching, Ullmann was well-renowned among his colleagues internationally. In the 1964–1965 academic year, he was invited to the Johns Hopkins University, where he taught a series of seminars entitled ‘Problems of Social and Political Theory’. The University of Innsbruck posthumously conferred on him an Honorary Doctorate in Political Science.

Raoul Van Caenegem describes Ullmann in these terms:

In conversation Walter was an exuberant born teacher and quick to see the funny side of things; which again was out of step with the traditional English reserve: he was, even after many years in Cambridge, still an outsider at heart, but he loved his new fatherland and stood in awe of its leading figures.¹

¹ Raoul C. Van Caenegem, ‘Legal historians I have known: a personal memoir’, *History of Law, Journal of the Max Planck Institute for European Legal History*, 17 (2010), p. 289.

Regarding his political ideas, he notes: ‘I do not remember discussing politics with Walter, who was a conservative Catholic, whose Jewish ancestors had converted to Christianity’.² Lastly, his brilliant career also led to some enmities:

Beryl Smalley, the Oxford specialist of the medieval Bible, was one of them. She spoke of Walter in a tone that took me aback by its sheer virulence, all the more so since I never knew what caused the rift. Walter also could write acerbic book reviews, in such sharp words that some personal animosity may have been involved.³

His significance as an intellectual and a man transcended his condition as a member of the university faculty. Indeed, at the Chapel of the Trinity College there is an inscription dedicated to Ullmann, which reads:

When Walter Ullmann came here as a refugee from Austria and willingly stayed, he was already qualified in civil and canon law; like the Church itself, he lived by Roman law, and brilliantly deployed it so as to illuminate the whole of the Middle Ages, and especially the Investiture Dispute. Steadfast in faith and purpose, he was greatly loved by his pupils; as Professor in the University he was widely appreciated and as Fellow of the College very dear to his colleagues.⁴

In 1981, a memorial volume of his work was published, with contributions from sixteen professors from the UK and the USA who worked with him, entitled *Authority and Power: Studies on Medieval Law and Government, Presented to Walter Ullmann on his Seventieth Birthday*.⁵ It includes three essays on the ‘Early Middle Ages’ dealing with the world of ‘Visigothic law’, with the Carolingian world ‘Carolingian legal manuscripts’ and with coronation. As to the eleventh century, there is a work on ‘canon law’. The contributions of the twelfth and thirteenth centuries also deal with legal issues, specifically crownings and legal disputes. Articles on late medieval texts, focus on Ockham, Aristotle, conciliarism, among others. Many of the contributors were Ullmann’s former students, such as: P. D. King, Rosamond McKittrick, Janet Nelson, John Gilchrist, Charles and Ann Duggan, E. F. Vodola,

² Van Caenegem, ‘Legal historians I have known: a personal memoir’, p. 289.

³ Van Caenegem, ‘Legal historians I have known: a personal memoir’, p. 289.

⁴ ‘Walter Ullmann’, Trinity College Chapel, <http://www.trinitycollegechapel.com/about/memorials/brasses/ullmann/> [Consulted 12 December 2013]

⁵ Brian Tierney and Peter Linehan (ed.), *Authority and Power: Studies on Medieval Law and Government, Presented to Walter Ullmann on his Seventieth Birthday* (Cambridge: Cambridge University Press, 1981).

Jane Sayers, Peter Linehan, A. S. McGrade, Alan Cobban, J. P. Canning, A. J. Black, R. N. Swanson or F. H. Russell.

Ullmann's work has been translated into a numerous languages, including Japanese. Students of medieval political thought who worked during the second half of twentieth century were inevitably influenced by his work. Today, however, his reputation is in decline.⁶ Many scholars might attribute this to his difficult personality, his increasingly rigid style of interpretation or his tendency to find creative new ways to repeat himself. Also, the political context of the waning of cold war rhetoric may have had some impact on Ullmann's declining status.

His publications from the 1940s had standards of rigorous scholarly inquiry. Here Ullmann worked from legal ideas and shaped the central trends of medieval political thought.⁷ By the 1950s, Ullmann had turned to the simplified reasoning for which he became well known and eventually notorious. Thus his 'hierocratic thesis' is fleshed out in *The Growth of Papal Government in the Middle Ages* (1955) and the 'ascending' and 'descending' model of authority debuts in *Principles of Government and Politics in the Middle Ages*. In 1965, Ullmann produced *A History of Political Thought: The Middle Ages*. For some historians, from this moment, he had few new ideas. 'The intellectual arc of Ullmann's scholarly career, then, might lead one to expect mainly a catalogue of discredited ideas [...] While some of his major teachings have indeed been demolished, his impact lingers in less obvious, but equally important, ways'.⁸

Context: The Contribution of Refugee and Émigré Legal Scholars to the Development of English Medieval Historiography

As a result of the establishment of the Nazi regime, German universities (most notably, Law schools) lost many of their members. Many of these scholars were Jews or of Jewish descent and were escaping National Socialist

⁶ J. H. Burns (ed.), *The Cambridge History of Medieval Political Thought* (Cambridge: Cambridge University Press, 1988) and Otto von Gierke, *Community in Historical Perspective* (Cambridge: Cambridge University Press, 1991)

⁷ Walter Ullmann, *The Medieval Law as Represented by Lucas de Penna: A Study in Fourteenth Century Legal Scholarship* (London: Methuen, 1946) and Walter Ullmann, *Medieval Papalism. The Political theories of the Medieval Canonists* (London: Methuen, 1949).

⁸ Cary J. Nederman, *Lineages of European Political Thought. Explorations along the medieval/modern Divide From John de Salisbury to Hegel* (Washington D.C.: The catholic University of America Press, 2009), p.5.

persecution. Hitler's rise to power meant that many scholars had no option but to leave Germany and Austria. Strangely enough, all of them were men. Among these émigré scholars were E. J. Cohn, David Daube, Rudolf Graupner, Max Grunhut, Otto Kahn-Freund, Hersch Lauterpacht, Gerhard Leibholz, Kurt Lipstein, F. A. Mann, Hermann Mannheim, Lassa Oppenheim, Otto Prausnitz, Gustav Radbruch, Clive Schmitthoff, Georg Schwarzenberger, Martin Wolff, and Wolfgang Friedmann, Guenter Treitel, Otto Lenel, Francis A. Mann, David Daube, Fritz Pringsheim, Fritz Schulz, and, of course, Walter Ullmann and Hermann Kantorowicz. The latter two specialised in the study of medieval legal texts in their exile. Ullmann leant towards the 'Canon Law', while Kantorowicz focused on 'Civil Law'.

In the last few years, a number of studies have been published on the lives of many of these German-speaking professors. Of particular relevance is the book published by Jack Beatson and Reinhard Zimmermann, *Jurists Uprooted: German-speaking Émigré Lawyers in Twentieth-century Britain*.⁹ The scholars studied in this book were persecuted by the Nazi regime and they all chose Great Britain as their destination. Until then, attention had largely focused on the history of German scholars migrating to the United States, where their influence on U.S. legislation has also been analysed.¹⁰

The book tells of the general milieu in which the exodus of migrants took place and their arduous arrival in the United Kingdom.¹¹ It begins with the biography of Fritz Schulz, followed by the following contributions:

⁹ Jack Beatson & Reinhard Zimmermann, *Jurists Uprooted. German-speaking Émigré Lawyers in Twentieth-century Britain* (Oxford: Oxford University Press, 2004). Another important book would be Dorothee Mussnug, *Ernst Levy und Wolfgang Kunkel. Briefwechsel 1922–1968* (Heidelberg Universitätsverlag Winter Heidelberg, 2005).

¹⁰ See Ernst C. Stiefel and Frank Mecklenburg Mohr-Siebeck, *Deutsche Juristen im amerikanischen Exil (1933–1959)* (Tübingen: Mohr, 1991); and Marcus Lutter, Ernst C. Stiefel and Michael H. Hoefflich (coords.), *Der Einfluß deutscher Emigranten auf die Rechtsentwicklung in den USA und in Deutschland* (Tübingen: Mohr, 1993).

¹¹ The first chapter is by R. Zimmermann, who approaches it from the German perspective: 'Was Heimat hieß, nun heißt es Hölle. The Emigration of Lawyers from Hitler's Germany: Political Background, Legal Framework, and Cultural Context'. The second was written by J. Beatson, who describes it from the British standpoint: 'Aliens, Enemy Aliens, and Friendly Enemy Aliens: Britain as a Home for Émigré and Refugee Lawyers'. Next, the text lists twenty-five contributions in which Roman Law takes a place of prime importance, something which is missed in the works on the USA cited above, where this discipline is conspicuous by its absence (confined to David Daube and Hermann U. Kantorowicz in their respective American stays; of Ernst Rabel emphasis is mainly on his period away from Romanticism; of Ernst Levy only her daughter, Brigitte Bodenheimer, is mentioned; and there are very

‘Fritz Pringsheim’ (Tony Honoré), ‘David Daube’ (Alan Rodger), ‘Roman Law in Twentieth-century Britain’ (Peter Birks), ‘Hermann Kantorowicz and Walter Ullmann’ (David Ibbetson), ‘Otto Kahn-Freund’ (Mark Freedland), ‘Ernst J. Cohn’ (Werner Lorenz), ‘Comparative Law in Twentieth-century England’ (J. A. Jolowicz), ‘Clive M. Schmitthoff’ (John N. Adams), ‘F. A. Mann’ (Lawrence Collins), ‘Martin Wolff’ (Gerhard Danemann), ‘Kurt Lipstein’ (Christopher Forsyth), ‘Private International Law in Twentieth-century England’ (Peter North), ‘Wolfgang Friedmann with a Excursus on Gustav Radbruch’ (John Bell), ‘Gerhard Leibholz’ (Manfred H. Wiegandt), ‘Lassa Oppenheim’ (Mathias Schmoeckel), ‘Hersch Lauterpacht’ (Martti Koskenniemi), ‘Georg Schwarzenberger’ (Stephanie Steinle), ‘Public International Law in Twentieth-century England’ (James Crawford), ‘Hermann Mannheim and Max Grünhut’ (Roger Hood), ‘Émigré Legal Scholars in Britain – Personal Recollections’ (Peter Stein), ‘German Refugees in Oxford – Some Personal Recollections’ (Barry Nicholas), ‘Kurt Lipstein – The Scholar and the Man’ (Christian v. Bar), ‘Cambridge 1933–2002’ (Kurt Lipstein) and, finally, the Appendix, which includes Otto Prausnitz, Rudolf Graupner, Albrecht Mendelssohn Bartholdy, Franz Haymann, Arnold Ehrhardt, Friedrich Darmstaedter, Arthur Wegner and Josef Unger (Frank Wooldridge, Jack Beatson, Reinhard Zimmermann).¹²

In this historical context, we have to give special relevance to the Nazi persecution of German culture. Of particular legal relevance are the act ‘*Gesetz zur Wiederherstellung des Berufsbeamtentums*’ (Act on the restoration of the Civil Service) and the ‘Nuremberg Laws’, on the University.

A good part of German and Austrian scientists, historians, writers, jurists, musicians, philosophers and artists were removed from their positions and forced to exile during the early years of Nazism. The removal of the “non-Arians” from the German thinking environment led to such a rupture in the German cultural tradition that Germany has never recovered from this catastrophe. In the particular case of the University, this plight was made even worse by the circumstances that have always afflicted university life. Most departures were made precipitously – some twelve hundred professors were removed from their positions as soon as the Nazis seized power – to uncertain destinations where language was an obstacle and where the means and the materials were completely different to those used in their places of origin.

marginal mentions of Hans Julius Wolff, Adolf Berger, Eberhard Bruck, Rafael Taubenschlag [...], and of even such contacts as A. Arthur Schiller and Max Radin. José María Coma, ‘Ensayos, Essays-Essays Los von Rom’, *Foro*, 2 (2005), p. 442.

¹² Coma, ‘Ensayos, Essays-Essays Los von Rom’, pp. 441–459

Adaptation was easier for the younger researchers. But for the great figures that were established in their departments, being deprived of the environment that had nurtured them proved a real disaster.¹³

Law schools emptied and teachers left to teach in universities in the U.S. and the UK. Émigrés found themselves in a legal framework very different from that they left behind.

This very difficulty, however, provided them with a unique perspective that is nowadays particularly interesting at a time when the relations between the Common Law tradition and the continental legal tradition have a growing relevance¹⁴

Nazis attempted to change Roman law for a new German law, thus completing the cycle.¹⁵

These intellectuals shaped fields of *international law*, *Roman law*, and *comparative law*. The problem was how they transferred their ‘continental’ conception (the so-called ‘civilian legal system’) of law to the more pragmatic legal conception of British ‘Common law’.

In this regard, some authors distinguish between those scholars who migrated to the UK once they had an education and a position in German or Austrian universities and those who completed their education in British Universities. Those who arrived from an established position in their country of origin found it hard to adapt, particularly to a new language, and

¹³ Coma, ‘Ensayos, Essays-Essays Los von Rom’, p. 444

¹⁴ Coma, ‘Ensayos, Essays-Essays Los von Rom’, p. 444

¹⁵ On this regard, it is instructive to read the study by L. Breunung, *Romanistik in der Weimarer Republik. Das ‘Selbstbild’ einer Disziplin* 13, written from the citations of the work of each professor – hence ‘*Selbstbild*’ – , in order to understand to what extent the studies of Roman Law were going to be affected by the rise to power of the Nazi party. Of the thirty-two professors that are included in the final ‘self-portrait’, thirteen are marked with a ‘Y’ (*‘Jüdischer Herkunft’*), and as many as seven occupy the first positions by number of citations in the most prestigious legal journals. On the basis of the pecking order mentioned, these thirteen are: Otto Lenel, Ernst Levy, Ernst Rabel, Fritz Schulz, Otto Gradenwitz, Franz Haymann, Fritz Pringsheim, Adolf Berger, Egon A. Weiß, Rafael Taubenschlag, Andreas B. Schwarz, Friedrich Ebrard and Hermann Ulrich Kamtorowicz. All of them were expelled from their chair, with the exception of Lenel and Gradenwitz, who, by 1935, had retired and died. Besides, Hans Lewald, Leopold Wenger and Robert v. Mayr had been exempted from their academic duties on political grounds. And, finally, not included in the picture because of their scarce number of citations, but also expelled were: Eberhard Bruck, Martin David, Arnold Ehrhardt and Gerhart Husserl. See Coma, ‘Ensayos, Essays-Essays Los von Rom’, p. 447.

were not promoted to university positions (as in the case of Fritz Heinrich Schulz). Particular circumstances notwithstanding, they were supported by the Jewish community in Britain.

Ullmann, therefore, belongs to that group of scholars who migrated from German to British universities, where they developed an important line of work on the study of so-called 'Legal History', especially on medieval studies. Their contributions to British universities involved the specificity of their adapting to a legal system that was very different to that they had left behind.

Ullmann was a Catholic and, when he arrived in the UK, he spoke no English and communicated in Latin:

He was and remained a continental scholar. Although almost all his work was published in English, the German background often came through. I remember reading to my wife the long first lines of one of his studies and being struck by the involved and lengthy phrase, which, although written in English, had obviously been conceived and formulated, in the author's continental language.¹⁶

He was admitted to Cambridge thanks to the 'Cambridge committee for the support of refugee scholars'. He published his first book in 1946. He also nurtured students such as Janet Nelson. In this sense, Van Caenegem tells: 'This struck me as another un-English predilection, as English academic historians tend to distrust ideas and abstract constructions, preferring to stick to the well-established facts which are "more venerable than the Lord Mayor"'.¹⁷

Law as a Historiographical Conception

Ullmann is regarded as a historian of medieval political thinking, concerned with the history of papacy in the Middle Ages, 'medieval canon law' and government in the Middle Ages. Some of his most influential books were *The Growth of Papal Government in the Middle Ages*, *The Individual and Society in the Middle Ages* and *Principles of Government and Politics in the Middle Ages*, where he addressed a constant throughout his work: the relations between secular and ecclesiastical power in medieval times: 'Except for economic history there were few periods or aspects of medieval life with which Walter

¹⁶ Van Caenegem, 'Legal historians I have known: a personal memoir', pp. 288–289.

¹⁷ Van Caenegem, 'Legal historians I have known: a personal memoir', p. 289.

was unfamiliar'.¹⁸ Ullmann insists on seeing the medieval world 'exclusively from the point of view of the ruling authorities. He perpetuates the ideology of the medieval establishment'.¹⁹ Ullmann studies the medieval world from the 'status quo' and he defends the medieval political conception of Kings, Popes and ecclesiastics.

Ullmann criticised 'overspecialisation', especially as regards the chronological domain and claimed, as early as 1978, that every humanistic discipline would be changed by the importance of technology. At the same time, he remarked that the growth of universities provided medievalists with a great opportunity for the study of laws (Pavia, Ravenna and Bologna) and most notably for the construction of a more robust social history.

Continuing with his historiographical thinking, he claimed that history grappled between the great syntheses and the micro-specialised. Ullmann also defended the interdependence between the academic and the political practice. And what, to his mind, would bring both elements together would be the notion of Law, which is the driving force behind medieval history.²⁰ In his conception, there is much of law and jurisprudence in medieval history – which he believed – are the sources that have best and most extensively contributed to the construction of medieval history.

Therefore, his conception of history is rooted in the importance of law:

The medieval historian admittedly suffers from a disadvantage which on closer inspection however turns out not to be without benefit, because he is forced to focus on the one unimpeachable, unassailable and reliable source? The law. In order to compose an adequate picture of social and public life, there can be no better qualified guide than the law. The law was the one vehicle, the one instrument that barred subjective assessment and imprinted itself indelibly upon the whole age.²¹

To him, the law is not a theory or an ideology, because it presupposes a corporation and a collective entity. According to Ullmann, the law was the means by which many Christian principles became conduct. The collective domain relegates the individual domain. The connection between law and

¹⁸ Caenegem, 'Legal historians I have known: a personal memoir', p. 291.

¹⁹ Norman F. Cantor 'Review The Individual and Society in the Middle Ages by Walter Ullmann', *Political Science Quarterly*, 83, 4 (1968), pp. 616–617.

²⁰ Walter Ullmann, *Scholarship and politics in the Middle Ages* (London: Variorum Reprints, 1978), pp. 1–3.

²¹ Ullmann, *Scholarship and politics in the Middle Ages*, p. 5.

religiousness is unique to Europe. This, Ullmann believed, would explain the impersonality of medieval historiography.

These ideas are complemented by the negation of emotional history: 'the internal elements, attitudes, modes, intentions, mental reservations are of interest only in so far as they are relevant to the explanation of public-external acts, and verifiable by or at least deducible from, concrete evidence'.²²

For Ullmann, one of the characteristics of medieval historiography would be its impersonal nature. There is scarcity of sources such as memoirs, diaries, autobiographies or personal correspondence. In this regard, he believed that the sources at our disposal are 'dangerous' as they may lead us to the subjective. And the scarcity of sources forces us to look at the Law. Law deals with generality and excludes specific individual elements. Law presupposes a corporation, a collective entity. The medievalist must constantly bear in mind the notion of society as a corporation. The notions of law and corporation are complementary in that there is an enormous Greek, Roman and Biblical influence. In this respect, Ullmann left us a number of postulates:

- a. A historian must be familiar with some fundamentals of jurisprudence. It was through law that many Christian principles turned into social standards and became one of the fundamental principles of power. This association between religion and law is unique to Western Europe.
- b. Law is more reliable than narrative forms of documentation (chronicles, etc.). The weight of the law and its connection to a collectivist vision explains why individual personality has so little importance. The divine order is objective because it was impersonal and encompassed men.
- c. The historian must conceive of man as a Christian and not in his political or religious facet. His actions, whether private or public, referred to the Christian world.²³ The Christian man is part of the Christian world where is mixed the political and the religious. The Christian world is a systemic world.

In Ullmann's view, there is an important connection between jurisprudence and religious thinking. The result is 'juristic theology', which affects every segment of public life. The main act of 'juristic theology' is what is known as baptism.

²² Ullmann, *Scholarship and politics in the Middle Ages*, p. 5.

²³ Ullmann, *Scholarship and politics in the Middle Ages*, pp. 8–9

He also pays attention to issues of symbolism, including rituals of the coronations of kings, imperial crownings. For Ullmann, the value of the meaning of symbolism is that it only has one, rather than several, interpretations. He sees symbolism as the instrument that makes abstract ideas visible, and may also apply to coins and written documents.

Among his other theoretical underpinnings are the notions of Medieval Western. He speaks of the notion of Europe as something inclusive. To him, the jettisoning of Byzantium Europe was an offense against the spirit of history, because Byzantium should be part of the study of the history of Europe. He was also in favour of interdisciplinary between anthropology, medieval literature, and medieval art.

Ullmann is a scholar with a teleological notion of history. He argues that our time is descendant of the Middle Ages. In his view, to know modern ideologies it is necessary to know how they arise in the medieval world. The medieval centuries would have a perfect continuation in modern times. He was intrigued by the interest the Middle Ages aroused in England because it was seen as the commencement of monarchy, parliament, law and the courts of law. To him, the Middle Ages was the time of Europe's adolescence, especially as far as political ideas are concerned.²⁴ He combines the thematic with the chronological). Similarly, he diagnosed the condition of history as one of 'crisis' although he was optimistic that it would find its way out of it.

Ullmann was one of those responsible for what some British historians call the 'Carolingian Renaissance' (on Carolingian history) in the United Kingdom, particularly in Cambridge, in the 1960s and 1970s. Ullmann opened up the way for British historiography to open to continental tradition.²⁵

He had studied Law and not History. He was a conservative who converted to Catholicism. His behaviour was that of a continental scholar between two cultures (Jewish and Christian) in both thinking (Continental and British) and writing styles (English and German). He had an affinity for the history of notions and theory, which he preferred to factual history.

Walter had no patience with colleagues who spent their time on factual detail and minutiae: he could be heard to mutter about 'small ideas' [...] Some

²⁴ For an explanation of the British teleological notion, see Israel Sanmartín, 'La genealogía de la idea de América Latina desde una perspectiva decolonial', *Corrientes. Revista Nórdica de Estudios Iberoamericanos*, 1(2010), pp. 91–118.

²⁵ 'Entrevista con Janet Nelson', *Making History*, 30 may 2008 http://www.history.ac.uk/makinghistory/resources/interviews/Nelson_Janet.html [consulted 21 September 2013]

intelligences will stand only for the facts, and be always distrustful of (or at a loss with) the theory; others will normally prefer theory to fact.²⁶

Medieval history from the Law: theory and practice

Ullmann's conception on medieval history rests upon the study of the Law. To this end, we will be studying different topics addressed by the author. We will begin by the notion of 'renaissance humanism' to later move on to the concern for the collective subject in Ullmann with the 'ascending-descending' thesis, touching upon the conception of the State to finally end up with the 'individual-society' debate.

The Notion of 'Renaissance Humanism'

Ullmann holds that medieval political thinking is a key tool for the analysis of the Middle Ages. He works on the assumption that political thought is the one area that makes the analysis of historical reality possible. In parallel, he defends that in the thirteenth and fourteenth centuries a new form of political thinking was developed under Aristotelian ideas, a thinking that Ullmann characterises as 'political humanism' and as a 'citizen-centred Renaissance', which resulted from the process of individualization of the individual in the Middle Ages.

Ullmann contends that medieval political thinking influenced sixteenth-century Renaissance Humanism, especially the notion of secularization from the twelfth century onwards. For Ullmann, medieval Renaissance Humanism emerged as a secular political movement. This aspect constitutes its main characteristic and lies behind its great historical impact. The return to the ancients was only a consequence of this secular political perspective. All the literary and academic elements of Renaissance Humanism that have been underscored by a variety of scholars are merely secondary aspects of the movement, at least in its early stages. It would only be at a later stage, after the second half of the fifteenth century, that the literary and academic aspects of humanism had any significance outside its pristine political core.²⁷

²⁶ Van Caenegem, 'Legal historians I have known: a personal memoir', p. 289.

²⁷ Paul Oskar Kristeller, 'Review America Medieval Foundations of Renaissance Humanism by Walter Ullmann', *Speculum*, 54.2 (1979), pp. 436–438.

In contrast to this, we should not lose sight of the fact that many of the so-called humanists of the time were also concerned with politics. Muscato, Petrarch, Boccaccio or Hans Baron may be cited as examples. He also disregards poetics and the art of writing letters and discourses, which was cultivated in, for instance, Bologna from the twelfth century as well as the study of grammatical and rhetorical treatises in the Late Middle Ages. The School of Chartres and the whole of the twelfth century (except for Salisbury) are not reflected either. And the same is true of thirteenth-century medical literature. In conclusion, Ullmann defends in a fairly suggestive manner that the contributions of Renaissance Humanism to political thinking deserve much more attention than many scholars have been willing to pay.

Ascending-Descending Dualism

For Ullmann, the history of political ideas in the Middle Ages is the history of the conflicts between two notions, the 'descending' and the 'ascending'. The ascending theory was modified by Germanic peoples as a result of the influence of Christendom. From the thirteenth century, and thanks to the influence of Aristotle, the 'ascending' began.

The descending conception posits that power resides in a supreme being. Saint Augustine and Saint Thomas defended this notion. It is a delegated power. God designates a representative on earth. The descending theory explains the ecclesiastical and Latin nature of political thinking in the Middle Ages. Ullmann holds that no political history treatises were written but it was rulers who applied political ideas. Political theory was deduced from their rulers and from the historical process. Ullmann speaks of the relation between political science and jurisprudence, i.e., the Law (everything political was expressed in the Middle Ages in terms of Law). Law is an applied political theory and it is the only element at the disposal of the historian to identify pure political doctrine: Law seeks to give real expression to the notion of justice but the essence of justice depends on the point of view of each ruler.

According to Ullmann, the Middle Ages developed on the basis of theocratic and hierocratic authority (descending model). All of the king's power came from above. Ullmann did not view this thesis as merely ideological. Several implications followed from the fundamental thesis. 1) No subject possessed 'any right against the king' since the royal head alone was the ultimate bearer of authority; 2) the monarch was the sole and authoritative judge of the public good and utility; 3) participants in royal administration

held no jurisdiction independent of the king. Ullman admits that the diffusion of the descending model was not uniform throughout Europe.²⁸

In response to some of the critiques levelled against Ullmann, his theses are neither history of political theory nor a constitutional history, but rather a political typology of various forces (governmental, jurisdictional and legislative) that act in the Middle Ages. These forces are conceptualised by Ullmann as 'descending' or 'ascending'. The descending principle would stem from the divinity and would be represented by the Papacy and the theocratic royalty. The ascending principle would originate in what Ullmann calls populism. Ullmann thus presents a history driven by three fundamental actors: 'The Pope', 'The King' and 'the People', thus moving away from the medieval dualism of *sacerdotium* and *regnum*. These characteristics led him to leave out of his exposition some theocratic elements and the feudal aspects of the medieval kingdom, as feudalism would constrain theocratic monarchies.²⁹

Until *Principles of government and politics in the Middle Ages* (1966), Ullmann studied the nature of theocratically descending powers (from God to the people). In this book, his field of work changes and his research focuses on the 'ascending' power (from the people) of government and of the law (based on a very dogmatic understanding of Aristotle).³⁰ According to this theory, power originally resides in the people. This is the most ancient reality. Already in Rome and in some early Germanic peoples there was a 'right' to resist the orders of the rulers. And power ascended from the base of the pyramid to its vertex. The popular assembly acted as a checking mechanism for its rulers and acted as a court of justice.

In the ascending doctrine, the government's authority arises from a grant of the people. The sources of this idea: a) feudalism. The relation between the ruler and his people took on a noticeably contractual cast; b) historical soil of local public associations, such as guilds, villages, urban communes

²⁸ Nederman, *Lineages of European Political Thought. Explorations along the medieval/modern Divide from John de Salisbury to Hegel*, pp. 5–7.

²⁹ Ullmann classifies what he calls 'Petrilógia' as the legal application of theological foundations. The author shows how the *claves regni coelorum* became *claves iuris* at the hands of the popes. Ullmann, *Principles of Government and Politics in the Middle Ages* (London: Methuen, 1966), p. 36.

³⁰ Ullmann chooses one form of Aristotelism when there are several. See Quentin Skinner, *The Foundations of Modern Political Thought, Volume One: The Renaissance* (Cambridge: Cambridge University Press, 1978) y Cary J. Nederman, 'The Meaning of 'Aristotelianism' in Medieval Moral and Political Thought', *Journal of the History of Ideas*, 57 (1996), pp. 563–85.

and religious orders; c) translation and circulation after 1250 of Aristotle's *Politics* and his naturalistics and populist doctrines. *Politics* revealed to the Middle Ages the purposes of human society, positing the citizen as an active participant in politics, and the urban community as the basic building block or unit of human association. The main stimulus for the replacement of the hierocratic with the populist perspective in the later Middle Ages was the reintroduction of Aristotelian political theory. Ullmann's account of the transformation of the political world is idealistic because feudalism and local associations may have prepared the ground for Aristotle's reception. The theory of Aristotelian diffusion in the thirteenth century constitutes a watershed mark between the Middle Ages and the modern period.

We could therefore say that Ullmann represents medieval populism. The historian demonstrates how the ascending thesis of government, which disappeared after the Roman period, slowly recovered as the Middle Ages came to an end, notwithstanding several differences. For Ullmann, the feudal system based on the mutual obligations of kings and vassals had some of the characteristics that made it possible that the voice of the people began to be heard, like, for instance, in the case of the guilds and of such different organized movements such as peasant revolts and the local, urban expressions of dissatisfaction by artisans, sometimes incited by spiritual agitators against the secular theocratic power. Overseas ventures also contributed to populist impulses. Alike, these situations meant, especially as regards heretical movements, the return to apostolic poverty. What this reveals is that lower layers start to move for organizing, even if they have no plans or aims.³¹

The Exhaustion of the Ascending-Descending Theory

Ullmann's ascending-descending theory remained an accepted one for some years. In 1973, Francis Oakley published a paper that revolutionised the historiography of medieval political thought.³² Until then had mastered in academic medievalism Walter Ullmann's conception, based on descending power patterns (of an Augustinian nature) and ascending power patterns (from the reception of Aristotle's *Politics*). This simple articulation enabled a double scheme: to agglutinate and articulate Gelasianism, political

³¹ Ernst Kantorowicz, 'Review Principles of Government and Politics in the Middle Ages by Walter Ullmann', *Speculum*, 39, 2 (1964), pp. 344–351.

³² Francis Oakley, 'Celestial Hierarchies Revisited: Walter Ullmann's *Vision of Medieval Politics, Past and Present*, 60(1973), pp. 3–48.

Augustinianism and Pope Innocent III's *plenitudo potestatis* as descending power while the ascending power explained the collapse of the former in line with the reception of *Politics*.³³ Oakley³⁴ soundly argued that political Aristotelism did not suffice to explain the conception of the 'ascending theory' and that it could also be found in the work of Saint Thomas and throughout the Dominican tradition. Oakley's paper led to an important historiographic turn and scholars have since sought a simpler, more efficient scheme for understanding the origin of medieval power. Most historians of ideas looked back and adopted J. N. Figgis's ideas,³⁵ which propounded the contraposition between conciliarism and caesaropapism as medieval historiographic canon.

Following in Oakley's wake, other scholars commenced to criticize to Ullmann. Some research demonstrated how Aristotle was appropriated by medieval thinkers with equal or greater force as a proponent of absolutistic monarchy, papal as well as secular. There was nothing 'populist' about Aristotle or the medieval interpretation of him. Other scholars showed how the circulation of the *Politics* did not induce the 'conceptual revolution' posited by Ullmann.³⁶

For Oakley, medieval historiography has two great moments: the first, with roots in theocracy and absolutism, lasts until the eleventh century and the second, of a conciliar and assembly-based nature, and at the foundation of democratic ideas, which takes place between the twelfth and the eighteenth centuries. In the same line are other authors like Tierney, Black or Pennington, who look for the caesura between both historical moments as the historical key of a two-part, 'long lasting'³⁷ Middle Ages.

³³ Rafael Ramis 'Oakley, Francis, *Empty Bottles of Gentilism, Kingship and the Divine in Late Antiquity and the Early Middle Ages (to 1050)* (New Haven and London, Yale University Press, 2010), 306 pp.', *Revista de Estudios Histórico-Jurídicos*, XXXIV (2012), pp. 556–558.

³⁴ Francis Oakley, *Empty Bottles of Gentilism, Kingship and the Divine in Late Antiquity and the Early Middle Ages (to 1050)* (New Haven and London: Yale University Press, 2010).

³⁵ John Neville Figgis, *Studies of Political Thought from Gerson to Grotius: 1414–162* (Cambridge: Cambridge University Press), 1907.

³⁶ Cary J. Nederman, 'Nature, Sin and the Origins of Society: The Ciceronian Tradition in Medieval Political Thought', *Journal of the History of Ideas*, 49 (1988), pp. 3–26 and 'Aristotelianism and the Origins of Political Science in the Twelfth century', *Journal of the History of Ideas*, 52, 1991, pp. 179–194.

³⁷ Ramis 'Oakley, Francis, *Empty Bottles of Gentilism, Kingship and the Divine in Late Antiquity and the Early Middle Ages (to 1050)* (New Haven and London, Yale University Press, 2010), 306 pp.', pp. 556–558.

All these works have received certain harsh criticism over the last few years as political medievalism is not uniform (nor, strictly speaking, is any conception of ‘medieval’), but polycentric as we have been reminded in such different works by such diverse authors as Alain de Libera,³⁸ Cary Nedermann³⁹ or Bernardo Bayona.⁴⁰ Indeed, the historiographic criterion that separates a theocratic Middle Ages from a protodemocratic Middle Ages is highly problematic. For Oakley, the continuity between a pagan world and the Christian world towards the modern world would be the monarchy. Oakley establishes as the common thread of western political thought not the democratic model (the ascending power), but the descending power of monarchy. Besides, two political organisations that were neither popular nor divine emerged: the nobility and the clergy that required a justification that could not be found in either the Holy Scriptures or Patristics. After the year 1000, the ruler, whether civil or ecclesiastic, became a Christological figure, the leader of a community of the baptized, and it was emphasized that the clergy was part of the apostolic community.⁴¹

A New Christian Public Space, it is the State?

Ullmann holds that no difference was established between religious, political, moral norms. It was a Christian whole but within the church, there were different members. He adds that the relation of conflict between Church and State in the Middle Ages lacks a historical sense. He maintains that there is a conflict between *sacerdotium* and *regnum* but it was within a single society of Christians. Within this framework, Ullmann contends that the notion of State does not arise until the thirteenth century, hand in hand with the writings of Aristotle. Before the thirteenth century, there was no notion of State or of politics as something detached from the ecclesiastical domain.⁴² It would be at this time that a new political community would arise where

³⁸ Alain de Libera, *La Philosophie médiévale* (Paris: PUF, 1989).

³⁹ Nedermann, *Lineages of European Political Thought. Explorations along the Medieval/Modern Divide from John of Salisbury to Hegel*.

⁴⁰ Bernardo Bayona, *El origen del Estado laico desde la Edad Media* (Madrid: Tecnos, 2009).

⁴¹ Ramis ‘Oakley, Francis, Empty Bottles of Gentilism, Kingship and the Divine in Late Antiquity and the Early Middle Ages (to 1050)’ (New Haven and London, Yale University Press, 2010), 306 pp, pp. 556–558. Y Rafael Ramis Barceló, ‘The Frontiers and the Historiography of legal and political thought in Europe: from the Middle Ages to Hegel’, *History of European Ideas*, 37 (2011), pp. 76–80.

⁴² Walter Ullmann, *A history of Political THought: the Middle Ages* (London: Penguin Books, 1965).

the State was a natural product (Aristotle) and the government of the State could refer to God. All this coincided with the ascending theses of John of Paris and the concepts of Citizen and the state as popular sovereignty (Marsilius of Padua). To a large extent, feudalism brought about popular government. Village communities showed already great aspects of self-government. The same was true of cities. The twelfth and thirteenth centuries show the fact of the emergence of shapeless and nameless multitudes in different fields, grades and regions: villages, cities, opposition.

In his brief treaty entitled *De Regno*, Thomas Aquinas expounded that man prepares his salvation in his lifetime. Consequently, in that time, he is simultaneously steered by two different guides: the temporal prince, who leads him to his ultimate natural end, and the priest, who leads him to his ultimate supernatural end. What is being addressed here is the problem of the simultaneous existence of two coercive powers on a single subject. Aquinas takes up the Gelasian notion and writes that there is no single power, the power of the Emperor, but two powers that rule the world, the priestly and the royal, and priestly power takes precedence over royal power by virtue of the superiority of its ends.⁴³

With Gelasius, spiritual and temporal power began to be understood as two different but mutually subordinated powers. The Gelasian doctrine generated a *new* political theory in the Western Middle Ages: the political theory of the superiority of spiritual power over temporal power. Along with Gelasian dualism, this superiority incited the legitimization of the existence of temporal power as an epigone of spiritual power and encouraged the interpretation of the relations of dominance in theological terms, i.e. as a chapter of the history of salvation.

From Gelasius, dualism and the resulting tendency to absorb temporal power into spiritual power began to successfully take root and culminated in the weakening of the temporal political structure in western kingdoms. On the basis of this Gelasian duality, the ensuing medieval political discourse developed as the theory of the two powers, where the temporal is subordinated to the spiritual, a subordination that medieval papacy gradually construed as a universal and unique sovereignty, as emanates from the most pragmatic formulation of this doctrine contained in Bull *Unam Sanctam*.

⁴³ Francisco Bertelloni 'La teoría política medieval entre la tradición clásica y la modernidad' in, *El pensamiento político en la edad media*, ed. by Pedro Roche Arnas (Madrid: Fundación Ramón Areces, 2010), pp. 17–40.

All this changed in the thirteenth century, when the relation between the two powers was interpreted from other codes, as allegorical exegeses of Biblical passages, symbolic interpretations, metaphors (body-soul, etc.) that transposed other domains of reality to the political sphere, canon law and even, falsifications of history like the *donatio Constantini*. The irruption of Aristotle's *libri morales* and its introduction of the idea of politics as something *per nature* is often cited as the first break in this pattern.

Walter Ullmann focused his theses on the break brought about the reading of Aristotle's *Ethics and Politics* in the second half of the thirteenth century. These texts led to introduction of a double teleology in human acts, a natural one (happiness) and a structural one (salvation). Furthermore, the two powers – the spiritual and the temporal – became the source of a theoretical-political discussion which engage the (natural and structural) ends of the individual. A whole series of theoretical speculations were also elaborated on temporal power. For some scholars, like Habermas,⁴⁴ there is a change of paradigm from Saint Thomas Aquinas and other authors like John of Paris or Marsilius of Padua,⁴⁵ as a consequence of which Aristotelism is emptied. On the one hand, medieval political theory is constructed to satisfy the needs of life and where

⁴⁴ Bertelloni 'La teoría política medieval entre la tradición clásica y la modernidad' pp. 17–40.

⁴⁵ 'In Marsilius of Padua there are also serious discrepancies on the ideological meaning of Defender of Peace. In contrast to the democratic readings that prioritize the notion of popular sovereignty (Labanca, Scholz, Battaglia, Ullmann) or subordinate the ideas of Marsilius to the republican institutions of the 13th century towns (Gewirth, Skinner, Hyde, Rubinstein) there are also those who reject that popular sovereignty is the core of the work (Segall, Condren). They interpret it as the expression of a monarchical and imperial view, already anachronistic for their time (Kölet, Quillet, Garnett); or consider the scholar from Padua an absolutist thinker (Leo Strauss), even an ideologist of totalitarianism (Galvão de Sousa, Barani, Poppi)' Bernardo Bayona Aznar "En Marsilio de Padua también hay serias discrepancias sobre el significado ideológico de El Defensor de la paz. Frente a las lecturas democráticas que priorizan la idea de soberanía popular (Labanca, Scholz, Battaglia, Ullmann), o hacen depender las ideas Marsilio de las instituciones republicanas de las ciudades del trecento (Gewirth, Skinner, Hyde, Rubinstein), están las de que quienes rechazan que la soberanía popular sea el núcleo de la obra (Segall, Condren), la interpretan como expresión de una visión monárquica o imperial, anacrónica ya para su tiempo (Kölmel, Quillet, Garnett); o consideran al paduano un pensador absolutista (Leo Strauss), incluso un ideólogo del totalitarismo (Galvão de Sousa, Barani, Poppi)'.] Bernardo Bayona Aznar, 'El fundamento del poder en Marsilio de Padua' in *El pensamiento político en la edad media*, ed. by Pedro Roche Arnas (Madrid: Fundación Ramón Areces, 2010), pp. 141–169.

the idea of a political theory where these needs are satisfied is abandoned. On the other hand, in Aristotle the relations of dominance are based on reason and free consent; in medieval political theory they begin as feudal and transform into economic.

In his writing, Ullmann insisted on what he called the decisive influence that Aristotle's *Politics* would have had on the formation of a medieval political theory. The most recent historiography has reassessed the role attributed by Ullmann to the texts by Aristotle that were known in the thirteenth century. This historiography holds that other legal, theological and philosophical elements must be taken into account. It could be argued that Ullmann's view – based on the communitarian notion inherited from the ancient world – belongs in romantic historiography. The other conception would be linked to the construction of a 'protomodern' world, towards capitalism, the state, etc. There would be a third, mixed option, where there would be an attempt to integrate Aristotelian elements with other concerns that some have seen as essences of 'protomodern' elements, such as the configuration of the public space, the rise of the individual or the beginning of monetary circulation.

The Individual and Society

In the Middle Ages, the point of departure is the notion of subject and not of citizen, which is a later concept. Ullman believes that feudalism is a fundamental process in this transformation and, at the same time, considers that Christianity held that the activities of the individual could not be separated in different domains (religious, political, moral, cultural, economic, etc.). The individual was a 'Christian' and by virtue of baptism he or she had to live in accordance with the Christian norm to the exclusion of any other. This notion rested on the great ecclesiastical power, mainly the Pope's, who delegated part of it to bishops and part of it to Kings and Emperors.

For Ullmann, the Papacy would be essential in the vast legislative output. To his mind, the most important task of the Papacy would be associated to Law, politics and the steering of Christendom. Finally, it would also have important connections with theology.

The decline of the power of the papacy originated precisely in an unforeseen change in the purely theological domain and not, as it has been often held, in socio-political intrigues. Indeed, because of circumstances that are not easy

to explain, it was increasingly more frequently argued that the one point of reference for the faith of men was the Bible and those holding such view – incidentally they were always opponents to the Papal Government – were more and more numerous. This appeal to the sources of the faith also meant that the Pope was deprived of the possibility of making definitive judgments as – depending on the time, place and environment – the criterion on Christ or Saint Peter might change and so would vary the interpretation of the unique source of the faith, namely, the Bible.⁴⁶

The power, therefore, of the papacy declined as a result of changing the point of reference towards the Bible (and the ability of the individual to interpret the Bible) from the faith in the Pope or in the institution.

Collectivism against individualism; the collectivist perspective approaches the problem from an objective and external point of view – and any Law, by definition, is associated to this attitude, while the other perspective does so from an internal, subjective point of view. For the former, Government and, therefore, the Law, are indispensable. The latter is actually a rebellion against the order of authority because of the emphatic insistence on the critical faculties of man and their assertion.⁴⁷

In the Middle Ages, politics always emanated from the purely ecclesiastical. The King and the Emperor were members of the Church. The existence of the Church was independent of any King or Emperor. The ecclesiastical nature of the West rendered unnecessary a conception of politics, contrary to what happened in the East, where there was indeed a concept of political community. This notion is wrong, the ecclesiastical encompasses the political: medieval world is a Cristian system world.

The King was also one of the sources of medieval political power. Ullmann holds that at certain times kingship had an unequivocal holy connotation. The King was a vicar of God as a consequence of the theocratic conception of power. In the exercise of power, the king ruled and exerted his control over the clergy. He also called the councils.

It is at this time that the Man as an individual is discovered. Man therefore rises from the oblivion to which he had been confined since Saint

⁴⁶ José M. Nin de Cardona, 'Walter Ullmann: *Principios de gobierno y política en la Edad Media*', *Biblioteca de Política y Sociología (Revista de Occidente)*. Madrid, 1971; 322 pp. *Revista de estudios políticos*, 118(1973), pp. 291–298.

⁴⁷ Cardona 'Walter Ullmann: *Principios de gobierno y política en la Edad Media*' *Biblioteca de Política y Sociología (Revista de Occidente)*. Madrid, 1971; 322 pp., pp. 291–298.

Thomas Aquinas. The latter saw no dichotomy between the man and the Christian, he reconciled both. (Human) nature works by virtue of its own rules through the use of the rational abilities of man. Populism (the power of the people, the people like a social subject), whether we like it or not, is the doctrine with which the Middle Ages ends its days.

Ullmann argues that the liberation of man as a citizen in his own political sphere was parallel to the focus on man from non-political perspectives. The Middle Ages brings to light the different dimensions of man: the political man, the religious man, and, to a certain extent, even the economic man. The Middle Ages begins to glimpse the spectrum of atomisation and the separation of the activities of men and, along with it, the subjection of man to different sets of norms.⁴⁸ For some, the Middle Ages was, to a certain extent, the happiest period in the life of mankind as there was never a doubt that there was a more or less adequate solution to every problem.⁴⁹

‘The elements of Ullmann’s framework that were most provocative and attracted the greatest attention may safely be declared dead and buried among serious scholars’, writes Nederman.⁵⁰ Here is a list of what many historians believe are Ullmann’s most important contributions to historiography:

- a. Essential continuity of Eastern political thought. Modernity was not a radical break with the past, via the humanism of the Renaissance or the religious pluralism of the Reformation.⁵¹ Ullmann introduced this idea in the appendix to his book *The Origins of the Great Schism: A Study in Fourteenth-Century Ecclesiastical History* (Methuen, London 1948). Ullmann focused on Cardinal Zabarella and demonstrated how Zabarella’s training as a canon lawyer shaped his conciliar commitments and his theory of the superiority of the council.

⁴⁸ Cardona ‘Walter Ullmann: *Principios de gobierno y política en la Edad Media*. Biblioteca de Política y Sociología (Revista de Occidente). Madrid, 1971; 322 pp., pp. 291–298.

⁴⁹ Cardona ‘Walter Ullmann: *Principios de gobierno y política en la Edad Media*. Biblioteca de Política y Sociología (Revista de Occidente). Madrid, 1971; 322 pp., pp. 291–298.

⁵⁰ Cary J. Nederman, *Lineages of European Political Thought. Explorations along the medieval/modern Divide from John de Salisbury to Hegel*, p.9; and Anthony Black, *Political Thought in Europe, 1250–1450* (Cambridge: Cambridge University Press, 1992).

⁵¹ Brian Tierney, *Religion, Law and the Growth of Constitutional Thought, 1150–1650* (Cambridge: Cambridge University Press, 1982). Tierney wrote a thesis under Ullmann supervision Tierney (with Oakley, Mulddon or Pennington) defend the claim that the roots of modern constitutionalism may be traced, via the conciliarism of the fourteenth and fifteenth century, to lessons derived from canon law.

- b. The reduction of historically complex patterns of intellectual continuity and change to a simplistic a rigid scheme of interpretation. This reductionism constitutes one of the most bothersome features of the ascending/descending model in the sense that it eliminates theoretical nuance and ambiguity. Tierney and some of his fellow scholars follow the same sort for the reductionist path.
- c. Several members of the British comedy troupe Monty Python were students at Cambridge or Oxford during the 1960s and two of them specialized in Medieval Studies. His ascending/descending model was incorporated it into one of the most famous scenes of the film *Monty Python and the Holy Grail*.⁵²

Conclusion

Invoking the debate in the Latin world on the location of knowledge, we appeal to the concept of geo-epistemology⁵³ to explain that Ullmann's work and ideas must be considered a transfer of his continental ideas to the English world. This transfer results in that many of his ideas have a different development, as they are transplanted to a different space. The language, the environment and the thinking are different in Germany from the UK, and much more so in the 30s. While it is true that the development of geo-epistemology has been exclusively linked to peripheral spaces, this study is being conducted from a peripheral area, which is Galicia and Spain. And from here, we have mixed the discussions on the concepts used by Ullmann from both an Anglo-Saxon and a Latin historiography in an attempt to embrace a 'peripheral' perspective to the reflections on Ullmann following all along the notion of geo-epistemology according to which the conceptualisation of things and beings and the construction of a principle of reality are the same thing. Consequently, space becomes a created category. In this created category, we can see that there are no universal thoughts but thoughts associated to specific spaces. In this regard, geo-epistemology sees science, and

⁵² Nederman, *Lineages of European Political Thought. Explorations along the medieval/modern Divide From John de Salisbury to Hegel*, p.11

⁵³ Claudio Canaparo, *Geo-epistemology. Latin America and the Location of Knowledge* (London: Peter Lang, 2009).

academic production at large, as a historiographical model whose commercial efficiency must not be confused with its intellectual relevance.⁵⁴

This will contribute to create a new academic space associated to the positioning of a Latin historiography.⁵⁵ And, as such, geo-epistemology raises a negotiation with the 'central' Western historiographical tradition. This negotiation entails a disparity of conditions as the whole local development at a cultural and linguistic level rests on a colonialist relation. And in this relationship of cultural historiographical dominance, the most important is the development of language and of the notions under 'peripheral' premises. In this regard, geo-epistemology entails an exercise of 'reversal thinking', that is to say, the construction of an analysis whose main elements are based on space, or more precisely, a spatial meaning of thought as a construct. And that is precisely what has been done.

We have seen that his being an émigré is important to the intellectual development of Ullmann. In addition, we have also established that Ullmann seeks to explain the origin and nature of the authority of the medieval church and the secular government not on the basis of specific thinkers but by resorting to generalizations from legal and administrative Sources. And hence that he always resorts to papal documentation. This will lead him to propound the 'ascending' and 'descending' power dualism, where an important role is played by the figure of the king and of the individual. Also, the notion of 'Community' is important as it leads to populism and to the confrontation of collective protests and 'parliaments'. In this regard, Ullmann holds that humanism in the thirteenth century supports the emancipation and liberation of the individual, something derived from the current era (and which was very different in the medieval world). In other words, Ullmann often projects current notions onto the medieval world, namely: 'individual', 'State', 'Power', etc., and especially, a very contemporary notion of the relations between the spiritual and the contemporary power.⁵⁶

In another sense, Ullmann does not take into account that politics, following Aristotelian thinking, is just a branch of moral philosophy, like ethics or economy. In other words, for Scholastics, politics is but a small fraction

⁵⁴ Canaparo, *Geo-epistemology. Latin America and the Location of Knowledge*, p.10.

⁵⁵ Claudio Canaparo, *Muerte y transfiguración de la cultura rioplatense* (Buenos Aires: Zibaldone, 2005)

⁵⁶ Particularly noticeable in Walter Ullmann, *The Growth of Papal Government in the Middle Ages. A study in the ideological relation of clerical to lay power* (London: Matthuen, 1955).

of the vast Scholastic philosophy literature that deals with logic, natural philosophy, metaphysics and ethics (which Ullmann seldom mentions). For instance, for Saint Augustine, the State was a necessary evil whose coercive power could be useful in imposing unity. Later authors already believed that government was a divinely ordered ministry. The Late Middle Ages saw a curious mixture of Nordic traditions (Germanic and Celtic). This resulted in transforming the Church into an articulated institutional structure, able to amalgamate the Biblical and patristic legacies.

In a practical domain, Ullmann holds that the first time rulers were subjected to laws was thanks to the ninth-century theocracy. To him, this was achieved due to the rite of coronation. And this will gradually endow the Church with power (albeit not with Charlemagne). Coronation was the submission of the king to ecclesiastical power. The Carolingians are going to establish the – equivocal – idea that the ruler was subjected to the Law. The Empire (after the year 800, but especially under the Ottonians) was considered a contributing partner to the ecclesiastic sacrament and Gelasianism had at that time a full development. Ullmann rightly stated that Carolingian renaissance must be treated as a spiritual reform of the Frank society as a whole and not just as a literary or cultural movement. And he, with very good discernment, is perplexed that critics have not brought up this fact.

Finally, as Kantorowicz points out, Ullmann's whole argument mainly focuses on England and France, although he tries to explain that both countries stemmed from the same inter-European premises and general conditions. And this is an important limitation if the purpose is to develop a theory of power in the different medieval kingdoms. The Hispanic Kingdoms, the Italian world and the Germanic reality have developments of their own as well as important differences. This idea takes us back again to the development of geo-epistemology. Ullmann works from an academic reality foreign to him (English historiography) and he does so by generalising from the French and English medieval realities. This is meant to be generalised to the whole of the Medieval Western. We have tried to find a peripheral lens and Latin sources to provide an explanation from the periphery to an Anglo-Saxon object of study. Not by rejecting English sources and interpretations. And the mere exercise has been worth its while as we have been able to identify some of the limitations of the so-called 'Legal History' to understand the history and political theory of the Middle Ages.

Chronology

- 1910 Ullmann is born Pulkau (Austria).
- 1939 Arrived United Kingdom.
- 1940 Joined the army to fight in the Second World War.
- 1949 Began teaching at the University of Cambridge.
- 1955 Published *Principles of Government and Politics in the Middle Ages*.
- 1965 Published *A History of Political Thought: The Middle Ages*.
- 1972 Began working at Trinity College, Cambridge.
- 1983 Died in Cambridge.

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4. JOSEPH REESE STRAYER (1904–1987): THE MEDIEVAL STATE FROM A COLD WAR PERSPECTIVE

Julia PAVÓN BENITO & Anna K. DULSKA

Joseph Reese Strayer (1904–1987) was part of the third and final generation of the ‘positivist’ school of American historical medievalism,¹ initiated by Henry Charles Lea (1825–1909) and developed by Charles H. Haskins (1870–1937).² His long academic and professional trajectory was marked by three complementary facets: that of a historian of the Middle Ages, that of a university professor, and, finally, that of a government advisor during the Cold War. An independent analysis of each of these facets would not do justice to Strayer and would provide an incomplete portrait of this complex and learned scholar, who transmitted his passion for medieval European history to generations of American medievalists. Further, and in relation to Benedetto Croce’s controversial statement that ‘all history is contemporary history,’³ Strayer was a son of his time in two crucial ways. On the one hand, his thematic proposals were based on the models of historical and historiographical frames available to him from his time and his formation. On the other, he placed his vast knowledge at the service of his country. We cannot know the specific aims and the reach of his work as a CIA advisor during the most complicated years of conflict between the

¹ In this essay, we understand the term ‘positivism,’ as it is used generally in the field of history, as ‘historiography named positivist,’ and not in the sense of the philosophical positivism advocated by Auguste Comte. See Ignacio Olábarri, *Las vicisitudes de Clío (siglos XVIII-XXI)* (Salamanca: Ediciones Universidad de Salamanca, 2013).

² Julia Pavón, ‘Henry Charles Lea (1825–1909): Historical Scholarship in North America,’ in *Rewriting the Middle Ages in the Twentieth Century II: National Traditions*, ed. by Jaume Aurell Cardona and Julia Pavón Benito (Turnhout: Brepols, 2009), pp. 371–396; *Idem*, ‘Charles H. Haskins (1870–1937),’ in *Rewriting the Middle Ages in the Twentieth Century*, ed. by Jaume Aurell Cardona and Francisco Crosas (Turnhout: Brepols, 2005), pp. 87–106.

³ Benedetto Croce, *History as the Story of Liberty* (London: George Allen & Unwin, 1941), pp. 19–22; *Idem*, *History: Its Theory and Practice* (New York: Russell & Russell, 1960), pp. 11–15.

Communist Block and the rest of the Western world, as that information continues to be held at Langley 'secret archives'⁴ but his collaboration was certainly that of a committed progressive.⁵

Until the influx to the US of academics and scientists from Europe – mostly from Germany towards the end of the 1930s, a group that included Ernst H. Kantorowicz or Erwin Panofsky, to name two of the most prestigious⁶ – the American medievalist school was shaped by the work of Charles Haskins and his disciples, all of whom were influenced by the positivist method and worked almost exclusively on the history of France and England.⁷ Indeed, this academic group had founded the Medieval Academy of America in 1925, and it published the first issue of *Speculum* a year later. This became the first American academic journal that focused on medieval history and its institutional character would remain unchanged for decades.⁸ Although the growing presence of European academics in the years before World War II shifted developments in the field, particularly because of the influence of historians such as Robert L. Benson, the predominance of the progressive school, particularly in the field of medieval studies, persisted.⁹

⁴ To date, the only article on this subject based on the Dulles papers and letters housed in the Seely G. Mudd Library in Princeton, alma mater to both Allen Dulles and Strayer is: John Cavanagh, 'Dulles Papers Reveal CIA Consulting Network', *Forerunner*, 29 April 1980, <http://www.naderlibrary.com/cia.dullespapersrevealconsulting.htm>

⁵ Similar to the notion of 'positivism,' the term 'progressive' may be applied to an American historiographical approach, which opened a space for liberalism in historical terms. See Richard Hofstadter, *Los historiadores progresistas: Turner, Beard, Parrington* (Buenos Aires: Paidós, 1970). The notion of 'progressive' history, in its widest sense, has been analyzed by Ernst A. Breisach, *American Progressive History: An Experiment in Modernization* (Chicago and London: The University of Chicago Press, 1984).

⁶ The Princeton Institute for Advanced Study was founded in 1932 to serve as a refuge for Albert Einstein and other Jewish intellectuals and academics who emigrated from Europe. Ed Regis, *Who Got Einstein's Office?: Eccentricity and Genius at the Institute for Advanced Study* (Reading: Addison-Wesley, 1987)

⁷ Paul Freedman and Gabrielle M. Spiegel, 'Medievalisms Old and New: The Rediscovery of Alterity in North American Medieval Studies', *The American Historical Review*, 103 (1998), p. 685. Giles Constable, 'The Many Middle Ages: Medieval Studies in Europe as Seen from America', in *Bilan et perspectives des études médiévales en Europe*, ed. by Jacqueline Hamesse, Lovain-la-Neuve: Fédération Internationale des Instituts d'Études Médiévales, 1995), pp. 16–18.

⁸ Edward Kennard Rand, 'Editor's Preface', *Speculum*, 1 (1926), pp. 3–4.

⁹ Julia Pavón, 'Charles H. Haskins (1870–1937)', in *Rewriting the Middle Ages in the Twentieth Century*, pp. 95–98.

In fact, the establishment of the Iron Curtain and the problems of the new world order from the 1950s to 1970s facilitated emphasis on research areas and methodologies structured from positivism and ‘progressivism’.¹⁰ It was then that Strayer became the Head of the Department of European History at Princeton, of the most prestigious and influential departments in the field in the United States, where Haskins’ authority continued to be felt. The modernists Laurence Stone (Dodge Professor at Princeton from 1963–1990), and Natalie Zemon Davis, who served as the President of the American Historical Academy, spearheaded, in a sense, the historiographical approach proposed by the French *Annales* school and the application of methodologies from the social sciences, leading rather quickly to key changes in the way history was written. Despite their methodological differences, both these academics became Strayer’s friends, as he welcomed and encouraged the introduction of new forms of history making.

Much has been written about the different themes and issues on which Strayer focused in his career: the origin and the nature of power, the basis and characteristics of feudalism as a socio-political system, the configuration of the monarchy and the parliamentary system. This essay, rather than presenting a new reading of the totality of his academic work, will centre on Strayer’s approach and the language he used, in the context of the Cold War, to explicate one of the themes he was most compelled by: the formation of the Modern State. Notably, as a historian, apart from being influenced by Haskins’ tradition, his work was also significantly shaped by the American progressive ideology,¹¹ as Paul Freedman and Gabrielle M. Spiegel explain.¹² Because of this, his perspective on the political role of the feudal monarchies at the end of the Middle Ages and beginning of the Modern Age was shaped by and reflects the complexity of the early democracy in the United States. In this manner, developing from Croce’s original idea, we find ourselves dealing with a historian of parallelisms, connected to the events of his time and for whom history was meant to serve as ‘a guide to action’ for his contemporaries.¹³

¹⁰ Ernst A. Breisach, *Historiography: Ancient, Medieval & Modern* (Chicago & London: Chicago University Press, 1983), pp. 362–365 and 385–387.

¹¹ James T. Kloppenberg, *Social Democracy and Progressivism in European and American Thought 1870–1920* (New York: Oxford University Press, 1986).

¹² Paul Freedman and Gabrielle M. Spiegel, ‘Medievalisms Old and New: The Rediscovery of Alterity in North American Medieval Studies’, pp. 677–704.

¹³ Joseph R. Strayer, Introduction to *The Interpretation of History*, p. 5.

Biographical Notes

Joseph Reese Strayer was born on August 20, 1904 in Baltimore (Maryland), to a German family from Pennsylvania. His father, George Drayton Strayer, was a professor at the Columbia University Teachers College, where he worked for many years in the Department of Elementary Education and published articles on theory of education, educational psychology, and educational administration.¹⁴ His father's commitment to pedagogy clearly influenced Strayer's approach to education: he consistently sought to teach good courses and was dedicated to forming his students. Many of his former students, among them William Chester Jordan and Teófilo F. Ruiz remember him as someone who 'loved to teach, [...] [and] also taught us the pleasure of research in medieval history'.¹⁵

In 1929, Strayer married Lois Curry, a former student of the developmental psychologist Jean Piaget and author of *Language and Growth: The Relative Efficacy of Early and Deferred Vocabulary Training* (1930). They had two children: Charles Drayton and Elisabeth Anne.¹⁶ Having been widowed several years earlier, a year before his death in 1986, Strayer married Sylvia L. Thrupp, a well-known medievalist. Thrupp, British by birth but American by adoption, had established her reputation in economic and demographic history at the University of British Columbia, the University of Chicago and the University of Wisconsin.¹⁷

Strayer, who finished his BA in History at the University of Princeton in 1925, received his PhD from Harvard in 1932. From 1930 onwards, he began working as an instructor at Princeton alongside his mentor, Charles Haskins. There he developed his *cursus honorum*, until his retirement in 1973.¹⁸ His

¹⁴ *City school Expenditures: The Variability and Interrelation of the Principal Items* (1905), *A Brief Course in the Teaching Process* (1911), *Educational Administration: Quantitative Studies* (1913, together with E. L. Thorndike), and *How to Teach* (1917, 1920, together with N. Norsworthy).

¹⁵ William Chester Jordan, Teófilo F. Ruiz 'Joseph Reese Strayer' in *Luminaries. Princeton Faculty Remembered*, edited by Patricia H. Marks (Association of Princeton Graduate Alumni: Princeton, 1996), p. 300.

¹⁶ A summary of his life and academic work may be found in: 'Strayer, Joseph Reese (1904-)', *Contemporary Authors*, vol. 103, 1983, p. 497.

¹⁷ <http://www.historians.org/publications-and-directories/perspectives-on-history/march-2000/in-memoriam-sylvia-l-thrupp>

¹⁸ He was Assistant Professor from 1936–1940, Associate Professor from 1940–1942, Henry Charles Lea Professor of History from 1942–1949, and Dayton-Stockton Professor of History from 1949–1973.

research and teaching activities developed together with his friendship with Haskins towards the end of the 1920s. His efforts and growing prestige led to the establishment of the most important, active, and inclusive Departments of European History in the country. Indeed, his work and teachings became a reference point for American medieval historiography until the late 1980s.¹⁹

Strayer's academic authority led him to play a key role in numerous academic associations: the American Academy of Arts and Sciences, the Medieval Academy of America, where he served as Vice-President from 1949–1951, and President from 1966–1969; the American Philosophical Society; the American History Association (he was President in 1971). He was also a member of the Board of the American Council of Learned Societies (1948–1951), of the British Academy, and Doctor *Honoris Causa* of the Universities of Caen (1957), Lehigh (1976) and Princeton (1980).²⁰

Strayer and Historical Parallels

Strayer continued developing the intellectual avenues opened by Haskins in the field of positivist medievalism, publishing numerous books and articles on the topic. Notable among them are his PhD dissertation, *The Administration of Normandy under Saint Louis* (1932), an extension of Haskins's *Norman Institutions; On the Medieval Origins of the Modern State* (1970), *The Albigenian Crusade* (1972) and *The Reign of Philip the Fair* (1980), the result of over thirty years of research into the workings of one of the most paradigmatic and influential governments in Western Europe. His early academic monographs, developed on the basis of exhaustive documentary research in European archives and a meticulous study of the original sources, were made possible by Harvard University's Sheldon Fellowship (1928–1929), which allowed him to travel to Europe.²¹ Engaging with the original documents and the library resources in Paris and Normandy (the departmental archives at Rouen, Caen, Evreux, and Saint-Lô), marked his formation and

¹⁹ Gabrielle M. Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography* (Baltimore and London: The Johns Hopkins University Press, 1997), p. 63.

²⁰ Armando L. de Carvalho Homem, Judite Gonçalves de Freitas, 'On a Medievalist's Death: Joseph R. Strayer (1904–1987)', *Revista da Faculdade de Letras* [Porto University]. História, II sér., VIII (1991), pp. 439–445 (441).

²¹ Joseph R. Strayer, Preface to *The Administration of Normandy Under Saint Louis*. (Cambridge: The Medieval Academy of America, 1931), p. vii.

later trajectory, as the hundreds of original texts he found continued to serve him for future research.

Haskins clearly inspired Strayer to engage with the origins of the centralization of power in France in the twelfth century. This move, developed after the creation of a juridical system, originated primarily from the revitalizing of a *corpus* of Roman law that was based on the principles of equity, rationality, and social order. Thus, and taking as a starting point questions of political-institutionalist history, Strayer built up, throughout his academic career, research focused on France and England in the twelfth, thirteenth and fourteenth centuries, particularly on the system that led to the foundation of the 'Modern State', through an analysis of the administration, legislation, and the tax system. Specifically, he focused on the organizational model of the Duchy of Normandy, a structure that patently influenced the development of French royal administration:

if the annexation of Normandy and Languedoc posed the problem of creating new techniques of administration, the institutions of the newly acquired provinces also supplied some of the materials for a solution, [...] the juxtaposition of the old and the new domain stimulated thinking about political problems and speeded up the development of half-formed institutions and procedures.²²

The Analytical Model

Strayer's research centred on the political paradigm of the birth of the State in Western Europe. This model, which originated in the project of royal construction in France and England in the twelfth century, generated, in his opinion, a *status quo* of governmental stability based on three foundational points: national unity, subjects' loyalty, and the secularization of society.²³ His entire academic production thus focused on the discussion of how these were generated and developed, as we note from the topics of his publications.

Notable at first is the fact that his work on the French and English governments and administrations during the High and Late Middle Ages is loaded with allusions to the historical context of the mid-twentieth century. This complex dialogue with contemporary times, together with the influences he received and the running theme of his academic dialogue, has already been

²² Joseph R. Strayer, 'Normandy and Languedoc', in *Medieval Statecraft and the Perspectives of History. Essays by Joseph R. Strayer*, ed. by John F. Benton, Thomas N. Bisson (Princeton: Princeton University Press, 1971), p. 51.

²³ Gabrielle M. Spiegel, *The Past as Text*, pp. 68–71.

noted by Freedman and Spiegel. These historians conclude that Strayer's research aimed to establish the superiority of Western political and democratic values, as opposed to the totalitarian regimes and forms of government that invalidated 'individualism and confidence in the power of human reason'.²⁴ Similarly, in her *The Past as Text*, Spiegel had already identified the phenomenon of the Americanization of the history of medieval monarchies, an approach inherited from Haskins' positivist and progressive school.²⁵

Considering Spiegel's models of historiographic analysis, we cannot engage in detail in this essay on the entire legacy of a historian inserted into a current united by 'their notions of scientific methodology, rationality, and progressive ideology'.²⁶ Nonetheless, it is interesting and valuable to locate and discuss in detail some of the historical parallels that Strayer unveils in his academic production. The discourse, the images, and the arguments he deploys evidence his preference for linking the process of development of European states in the Late Middle Ages with the origin and evolution of dictatorships and imperialisms of his time. Consequently, for this project, he privileges a series of elements from the twelfth to fifteenth centuries that he calls 'signs of the Modern State': the centralization of states, the resurgence in the application of Roman law, and the advancement of a university culture. Having defined these, he then applies a rather original method of interpretation, based on what can be considered as 'justifying analogy' with regard to communist and totalitarian governments, which he deploys according to the principle of how distant they are from the democratic values championed by the United States.

Taking into account his heuristic methodology, we do not focus solely on the historical topics he worked on – the administration of the Duchy of Normandy, French and English governmental institutions, pre-state European bureaucracy, the renaissance of Roman Law in the thirteenth century – but rather on the characteristics and aims of this methodology. This approach, motivated by his interest in explaining the origins of Western values, eventually developed his 'teleological vision of the Modern State'.²⁷

²⁴ Paul Freedman and Gabrielle M. Spiegel, 'Medievalisms Old and New: The Rediscovery of Alterity in North American Medieval Studies', p. 690.

²⁵ Spiegel notes 'Strayer's attempt, in effect, to 'Americanize' royal history in the Middle Ages...' (Gabrielle M. Spiegel, *The Past as Text*, p. 68).

²⁶ Gabrielle M. Spiegel, *The Past as Text*, p. 71.

²⁷ This is how Teófilo Ruiz, one of Strayer's students, defined his mentor's contributions (*conversation with Teófilo Ruiz*, May 2014).

Although Strayer affirmed in 1966 that 'historical parallels are always dangerous, but they are not always completely misleading',²⁸ he was nonetheless seduced by one of his ideas, modelling an image of Late Medieval France on the political interests of his time. Clearly, the centralization of the monarchy, discussed in his book *The Reign of Philip the Fair*, the culmination of his negotiation with the origin of the Modern State, supports the supremacy of constitutionalism, whose legal base validates a King's leadership, above the chaos of feudal division. The reality of Western feudalism, implied the 'fragmentation of political authority, public power in private hands, and a military system in which an essential part of the armed forces is secured through private contracts,' the opposite of public order. Because of this, he concludes that feudalism was both a 'method of government, and a way of securing the forces necessary to preserve that method of government'.²⁹ And, what better image of political zeal existed for the preservation of a regime than that of a communist or totalitarian state, in the time of the Cold War?

The Modern State versus the Soviet Union: A Contemporary Portrait of the Middle Ages

Strayer draws a portrait of the past from the present to contrast the democracy established in the West with the political system of the Eastern Block. Thus, the Soviet Union, as well as communist China, mirror the feudal state, a contemporary articulation of a system developing towards modernity. His affirmations clarify the intellectual trajectory needed to arrive at the complex reality of medieval feudalism. Questions we might ask include: did he run the risk of constructing only a contemporary political discourse in the context of 'historical progressiveness'? Did he work with a predetermined itinerary?

Spiegel and Freedman respond positively to both these questions. However, a detailed reading of his work demonstrates, for example, that Strayer had substantial in-depth knowledge of the current conceptual debate on feudalism, marked by the writings of Marc Bloch and François-Louis Ganshof, to the point that it is possible that his ideas owed much to the European historiographical debates of the time. Further, Strayer was so committed to defining and promoting the three elements noted above regarding the

²⁸ Joseph R. Strayer, 'Problems of Dictatorship: The Russian Experience', in *Medieval Statecraft and the Perspectives of History. Essays by Joseph R. Strayer*, ed. by John F. Benton, Thomas N. Bisson (Princeton: Princeton University Press, 1971), p. 359.

²⁹ Joseph R. Strayer, *Feudalism* (Princeton-Toronto-New York-London: D. Van Nostrand Company, 1965), p. 13.

centralization of the French and English monarchies, that he privileged a political notion of 'feudalism', above its socio-economic meaning.³⁰ His primarily comparative perspective,³¹ led him to analyse the situation during the Tokugawa period in Japan (sixteenth–nineteenth centuries).³²

Identifying forms of Western government previous to the Modern State as a 'political feudalism' were helpful to Strayer's definition of the political models of communist organization of the 1940s and 1950s. He stresses his position in the article 'Problems of Dictatorship: The Russian Experience' (1966) – one of the reports he prepared for the Department of Foreign Affairs – where he focuses in particular on the historical foundations of the Soviet regime.³³ His argument, which compares the origins, characteristics and markers of identity of the Western medieval system with the Russian model of the 1970s, unveils a wide range of references and generic concepts that, rather than emphasize its discourse and, from today's perspective, transforms it into a subjective game of colours. Using the metaphor of art, the three primary colours or the basis of the State – national unity, subject loyalty, and the secularization of society – will be the source from which discrete political realities converge and from which they construct their theories and rationalizations.

In his discussion of national unity, Strayer examines in detail the model of Soviet government – after Leonid Brezhnev succeeded Nikita Khrushchev – noting the need for a stable, effective and respected leadership that would permit the progress of a sovereign state. He presupposes that Western forms of government owe their stability to the consolidation of the medieval monarchies, sanctioned by God, even though the increasing complexity of government systems produced broader administrative systems, run by

³⁰ Joseph R. Strayer, 'The Two Levels of Feudalism', in *Medieval Statecraft and the Perspectives of History. Essays by Joseph R. Strayer*, ed. by John F. Benton, Thomas N. Bisson (Princeton: Princeton University Press, 1971), pp. 63–65. In this article, published in 1968, he notes: 'For the purposes of this essay, then, we shall take feudalism to mean a type of government which was conspicuous in Western Europe from about 900 to 1300 and which was marked by the division of political power as a private possession.'

³¹ Gaines Post, 'Introduction', in *Medieval Statecraft and the Perspectives of history*, p. xiii.

³² The idea of applying the term 'feudalism' to political realities is explained Joseph R. Strayer, 'The Tokugawa Period and Japanese Feudalism', in *Medieval Statecraft and the Perspectives of History*, p. 90: 'I happen to prefer a rather narrow political definition, on the grounds that feudalism simply ceases to have any specific meaning when it is used to describe economic and social conditions.'

³³ Joseph R. Strayer, 'Problems of Dictatorship: The Russian Experience', in *Medieval Statecraft and the Perspectives of History*, pp. 349–359.

bureaucrats and secular thinkers. This development naturally segued into the inevitable debate on the nature and legitimacy of power,³⁴ though ultimately the doctrines of the Illustration generated substantive changes in the notion of leadership that would, in simplified terms, be based on consensus. This consensual regime (or constitutionalism) is, in a sense, what he signalled as the support for the centralized monarchies of France and England in the twelfth and thirteenth centuries, a hypothesis he proposed in *The Reign of Philip the Fair*. This way, and from his point of view, Philip the Fair of France supervised an ideological and institutional project of national concentration and agglutination, in both administration as well as the legal frame, which produced a model of political stability.³⁵

The feudal state collapsed when, after the agreements and relationships between the knights and the landowners ended, an early administrative structure – bureaucracy, which Max Weber considered to be the foundation of the Modern State – began developing from the twelfth century onwards. Clerics played a major role in the administrative arm of the government, as in the case of the Pipe Rolls; civil servants began occupying themselves in the legal areas. This is where Haskins developed the concepts he discusses in *The Renaissance of the Twelfth Century*: the access to education of a select group of nobles, the recovery of the principles of Roman Law and of an instrumental language like Latin, and, most importantly, the development of a university culture. In sum, the new cultural context facilitated the progressive secularization of the circles of the educated class and, by extension, the assembly of political leaders.³⁶

The elements that led to the creation of the Modern State, based on the French model, developed between 1100 and 1300 in a context in which the old feudal political structure and its alliance with ecclesiastical power had diminished.³⁷ Now, ‘lay’ governors were established as the guarantors and

³⁴ Joseph R. Strayer, ‘Problems of Dictatorship: The Russian Experience’, pp. 352–353; idem, *On the Medieval Origins of the Modern State* (Princeton: Princeton University Press, 1970), p. 74

³⁵ Gabrielle M. Spiegel, *The Past as Text*, p. 68: ‘England and France, whose actions brought order out of chaos and national unity out of feudal fragmentation.’ Another issue is England’s development towards an early parliamentary state.

³⁶ Joseph R. Strayer, *On the Medieval Origins of the Modern State*, pp. 33–69 and ‘The laicization of French and English Society in the Thirteenth Century’ in *Medieval Statecraft and the Perspectives of History*, pp. 251–265.

³⁷ ‘...the sovereign state was emerging, and feudalism was becoming a matter of empty formalities...’ (Joseph R. Strayer, *Feudalism*, p. 67).

distributors of justice, based on the primacy of the law in all areas of life. Locating the centre of statehood in the judicial rather than in the sacred confirmed in the political sphere another of Weber's pillars of modernity: 'the disenchantment of the world'. This legal system, with roots in Roman law,³⁸ would coexist for a time with common law, as the process of the formation of states would require two more centuries. New institutions, such as the Courts, tribunals, assemblies, and the whole network of collectives that embodied the notion of political representation, developed slowly over a long period, with its highs and lows, along with wars and the crises of the fourteenth and fifteenth centuries. Indeed, wars and other political crises evidenced the gap between the bureaucracy, professionals of diverse fields and significant culture at the service of the princes and the aristocracy. The latter group, composed of the high clergy and the most exclusive circles of nobility, directed state politics, continually creating conflicts and complicating relations among the nations.³⁹ The issue of the appearance of the idea of 'foreign relations' that Strayer analyses in the third chapter *On the Medieval Origins of the Modern State*, would require further study. He applies a 'Wilsonian' concept of foreign policy to a Europe that at that time was much more complex than it appeared, despite the powerful diplomatic vision it conveyed.⁴⁰

Focusing once again on the Soviet Union, Strayer introduces another level in his comparative model when he affirms that deviations from the natural development towards democratic states led to the rise of dictatorships, which combine elements constitutive of monarchies – the leader's charisma and personal loyalty – and the glorification of the state – nationalism and public interest. He believes that dictatorships brought about two important liabilities: the imperative need for military support and the problem of succession. 'No dictatorship lasted for more than one generation,' he affirms, though we now have clear cases to the contrary, such as North Korea, Cuba, and Syria. Valid, however, is his argument that 'dictatorship weakened rather than strengthened the state'.⁴¹

³⁸ Blandine Barret-Kriegel, *La défaite de l'érudition* (Paris: Presses Universitaires de France, 1988), p. 84, n. 99; Armando L. de Carvalho Homem, Judite Gonçalves de Freitas, 'On a Medievalist's Death: Joseph R. Strayer (1904–1987)', pp. 443–444.

³⁹ Joseph R. Strayer, *On the Medieval Origins of the Modern State*, pp. 80 and ff.

⁴⁰ Ray Stannard Baker, *Woodrow Wilson and World Settlement* (New York: Doubleday, 1992), Inga Floto, *Colonel House in Paris: A Study of American Policy at the Paris Peace Conference 1919* (København: Universitetsforlaget i Aarhus, 1973), and Arthur S. Link, *Woodrow Wilson and the Progressive Era* (New York: Harper and Row, 1954).

⁴¹ Joseph R. Strayer, *On the Medieval Origins of the Modern State*, pp. 350–351.

Strayer discusses the issue of the loyalty and affection of subjects, another of the pillars of Western democratic states in 'Defense of the Realm and Royal Power in France' (1949) and in 'France: The Holy Land, the Chosen People and the Most Christian King' (1969).⁴² While modern totalitarian states are subjected to the judgment and personalities of their rulers, who could strengthen or weaken their relationship with their citizens, the medieval French monarchy established a state 'reinforced by the devotion and loyalty of subjects, who share the religious ideals embodied in the figure of the holy king'.⁴³ Thus, medieval monarchies could govern based on a powerful ideology of sacred power, and through a bureaucracy and legislative structure that supported its actions and political decisions.⁴⁴ Military force, therefore, was reserved for only a few isolated cases.

In the context of his liberal notion of government, Strayer applies the same three-dimensional model to *On the Medieval Origins of the Modern State*. Thus, he points out that Russia and, by extension, the communist states within its sphere of influence, illustrate the process wherein the transition towards to European democratic movement was initiated but not completed, because of limited public participation in political processes and a lack of loyalty to the state. Some of the dictatorships instituted in Eastern Europe and others connected to Russia were supported, not by the Army but by the Party, heightening its strength. Because of this structure, the U.S.S.R. managed to uphold its authority and political model for more than a generation.⁴⁵

⁴² Joseph R. Strayer, *Ibid.*, pp. 17–21.

⁴³ Gabrielle M. Spiegel, *The Past as Text*, p. 159; see also note 22, which explains why the French monarchy did not degenerate into absolutism: '...the desire to reinterpret French monarchical institutions in such a way as to make them compatible with American democratic principles, to divest the French monarchy (at least in the Middle Ages), that is, of the charge of absolutism...' (*Ibid.*, p. 68).

⁴⁴ The absence of loyalty and, by extension, efficient bureaucratic mechanisms, were among the factors that detonated government crises, as with the Roman Empire (see Gabrielle M. Spiegel, *The Past as Text*, p. 70; Joseph R. Strayer, 'The Fourth and the Fourteenth Centuries', *The American Historical Review*, 1 (1971), p. 1).

⁴⁵ 'On the record, it looks as though the Soviets have created a new and viable type of political structure which has all the strengths and few of the weaknesses of previous dictatorships. Actually, they are probably in the position of West European states at the time when divine-right monarchy first began to face criticism. The charismatic quality of leadership has almost vanished, the need for involving more people in the process of decision-making is growing, and the frequency of open debate on important issues is increasing' (Joseph R. Strayer, 'Problems of Dictatorship: The Russian Experience', p. 352).

In his report on the Soviet system, he argues that a new political climate arose in the 1970s, as a result of attempts at modernization and the weakening of Marxist-Leninist doctrine.⁴⁶ This led to efforts to create a new form of leadership, no longer based on a cult of personality nor on the fear typical of the early revolutionary times, which would expand the circles of government, on the level of consultation, if not on the level of decision. Hyperbolically, he deploys the image of high Russian classic culture, to generate controversy and critical thought among the people and, hopefully, lead to the 'desired' reforms. But, we might ask, what weighed more in the balance: the high literacy rate, the flawed economic system, or the powerful propaganda machine?⁴⁷

Strayer concludes that the U.S.S.R. followed a complex developmental trajectory. Though it was created in 1922, after the Bolshevik Revolution – supported by Germany – progress towards Western modernization was halted. The Soviet empire, which comprised about a sixth part of the world, made up of a variety of cultures, languages, world-views and political trajectories, was conceptually flawed as a national project because it lacked common historical traditions. In 'The Historical Experience of Nation-Building in Europe,' a reflection on the new countries without a common root,⁴⁸ and in connection with the ideas of the Polish political scientist, Zbigniew Brzezinski, a future security advisor for Jimmy Carter, Strayer argues that the principal centrifugal force that would lead to the downfall of the USSR

⁴⁶ 'Just as the loss of faith in divine right created a demand for a new set of political beliefs in the West, so loss of faith in the infallibility of the leadership and in the doctrines it proclaims requires a new source of inspiration for the U.S.S.R.' (Joseph R. Strayer, 'Problems of Dictatorship: The Russian Experience', p. 358).

⁴⁷ 'Any literate inhabitant of the U.S.S.R. must know that the controversy exists and that it has caused divisions in the party and some wavering in the party line. This is not calculated to preserve the image of a monolithic, all-wise leadership' (Joseph R. Strayer, 'Problems of Dictatorship: The Russian Experience', p. 354).

⁴⁸ 'Historians look for morals as sociologists do for models (...). Building a nation-state is a slow and complicated affair, and most of the political entities created in the past fifty years are never going to complete this process. Mere imitation will not solve their problems; institutions and beliefs must take root in native soil, or they will wither. The new states that have the best chance of success are those which correspond fairly closely to old political units; (...). On the other hand, a state whose boundaries bear no relation to an earlier political unit (...) is a state which will certainly not become a nation and which will probably soon cease to be a state...' (Joseph R. Strayer, 'The Historical Experience of Nation-Building in Europe', in *Medieval Statecraft and the Perspectives of History*, p. 348).

would be emerging nationalisms from its diverse territories.⁴⁹ In the meantime, however, how did these regimes survive?

The Modern Crusade

When Norman Cantor affirms that Strayer's work embodies 'the epitome of cold war liberalism applied to the past',⁵⁰ he refers both to the topics mentioned previously and to the issue of the Crusades, definitely one of the most critical themes of his academic production.

If the administrative structure of modern states served Strayer as a starting point for a discussion of the constitution of Western democratic forms of government, the Crusades were also useful as a tool through which he could engage political behaviour. Thus, for example, examining the participation of the overseas ventures of the medieval monarchies, he reflects on the forms of diplomatic and military cooperation in 'The First Western Union' (1951).⁵¹ He later utilizes the theme of the Albigensian Crusades to negotiate systems of oppressions in articles that led to the monograph *The Albigensian Crusades* (1971).⁵²

The Middle Ages are once again analysed in the context of the Cold War as he reads the 'Christian Commonwealth and an international army' of Western expansion via the Mediterranean as an early form of the 'Western Union and Western army', ultimately, an organization similar to NATO.⁵³ Indeed, NATO was founded in 1949, around the time of the creation of

⁴⁹ Zbigniew Brzezinski, *The Soviet Bloc: Unity and Conflict* (New York: Frederick A. Praeger, 1960).

⁵⁰ Norman F. Cantor, *Inventing the Middle Ages: the Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century* (New York: Quill William Morrow, 1991), p. 283.

⁵¹ Joseph R. Strayer, 'The First Western Union', in *Medieval Statecraft and the Perspectives of History*, pp. 333–340.

⁵² Joseph R. Strayer, *The Albigensian Crusade* (New York: The Dial Press, 1971). Also 'The Crusade Against Aragon' (1953), 'The Political Crusades of the Thirteenth century' (1969) and 'The Crusades of Louis IX' (1969) in *Medieval Statecraft and the Perspectives of History*, pp. 107–192.

⁵³ 'We must have real union – not loose and sporadic cooperation. We must keep one state from domination the union; and this can be done only if all the others assume full responsibility, hard as it may be for them. We must use the union army only for the purpose for which it was created, not for selfish gains or quick solutions to problems which could be dealt with by peaceful means. And, most of all, we shall have to watch closely the new institutions which will inevitably grow out of the union, and see if they are compatible with the kind of society which we desire' (Joseph R. Strayer, 'The First Western Union', in *Medieval Statecraft and the Perspectives of History*, p. 340).

the U.S. Department of Defense, the National Security Council, the CIA (1947) and the National Security Agency (1952). Thus, when Strayer wrote his report on 'The First Western Union', the world was in the midst of a bipolarization process, after the Chinese Revolution (1950) and the Korean War (1950–1953), as the establishment of the Warsaw Pact in 1955 demonstrated. Also, as Europe was dismantling its Empire through decolonization, the United States became the mediator and promoter of Western democratic unity, a kind of anti-communist league.⁵⁴ Serving as the head of an Army, its political leadership would foresee dangers and protect those ideals much more efficiently than the Medieval Church did in its role as arbiter of Western Christianity.⁵⁵ This political hegemony would be exercised first through Operation Ajax (Iran, 1953) and Operation PBSUCCESS (Guatemala, 1954).⁵⁶

Strayer clearly perceived the similarities between the objectives of the Crusades and those of NATO:

Crusaders in the Holy Land could hardly say that they wanted to get back to God's country, but they felt exactly as American troops have felt at the end of the last two world wars – they were desperately anxious to go home. The crusade in Europe, even more than the crusade overseas, bears a close resemblance to our modern idea of an international army to enforce peace.⁵⁷

⁵⁴ 'This was an inevitable but unfortunate result of the position which France then occupied in Europe. Like the United States today, she was the largest, wealthiest, and most populous political unit in the Western Union. Only the French alone profited from the crusades. This did not increase the loyalty of other peoples toward the Christian Commonwealth and papal leadership of that Commonwealth' (*Ibid.*, p. 338).

⁵⁵ 'The Roman sense of organization and discipline is preserved by the Church, which was, on the whole, virtuous but powerless. The western European sense of organization and discipline is preserved by professional armies which have power but which may lack virtue and vision. The Church saved its ideals but could not prevent political and social disintegration. The armies may prevent disintegration but lose their ideals. Whatever they do, they will be a dominant factor in the post-imperial world of the twentieth century' (Joseph R. Strayer, 'Empires – Some Reflections on Roman and Modern Imperialism', in *Medieval Statecraft and the Perspectives of History*, pp. 332).

⁵⁶ Melvyn P. Leffler, *La guerra después de la guerra: Estados Unidos, la Unión Soviética y la Guerra Fría* (Barcelona: Crítica, 2008), pp. 170–173.

⁵⁷ Joseph R. Strayer, 'The First Western Union', in *Medieval Statecraft and the Perspectives of History*, pp. 335 y 336.

Attempts to achieve this peace were enacted though a disarmament plan, the Rapacki Plan, proposed by the Polish Minister of Foreign Affairs on October 2, 1957, to the UN General Assembly.⁵⁸

The idea of a Crusade, in the generic sense of an alliance against 'an enemy', could thus be applied with certain historicity, though not in any strict historical sense, to any action similar to the medieval 'just war'. But who or what were the dissidents, heretics, or the enemy? If the modern 'Crusade' led to optimism and a reinforcement of rationality, freedom, and democracy, could it not be manipulated by those political leaders who, in the thrall of their totalitarian ideology, could repress or eliminate those that oppose them?⁵⁹

The Professor and his Pedagogical Methods. Historical Divulgence and Patriotism.

Stayer inherited from his father the gift of being an excellent teacher and a lifelong interest in pedagogy. Because of this, apart from his work as an historian, he was committed to pedagogical methodologies, something his students always appreciated – 'he taught us the pleasure of research in medieval history'⁶⁰ – and to the problems of the educational system. He was concerned not only with didactic methods, but with the humanistic scope of teaching and learning. This vocation to teaching and his interest in historical divulgation marked his entire life, as we note in his continual references to these issues in his work. In particular, he sought to open up new cultural horizons in the students' curriculum.⁶¹ This commitment is evident in his work through the numerous sources he negotiates, the result of his reading and personal tastes, though he did not write very many essays on themes beyond the borders of Western Europe.⁶²

⁵⁸ Ulrich Albrecht, 'The Political Background of the Rapacki Plan of 1957 and its Current Significance', in Rudolf Steinke and Michel Vale, *Germany debates defense: The NATO alliance at the crossroads* (New York: Sharpe, 1983), pp. 117–133, Zoltán Maruzsa, 'Denuclearization in Central Europe? The Rapacki Plan during the Cold War', in *Öt kontinens. Eötvös Loránd* (Budapest: Elte, 2008), pp. 225–264.

⁵⁹ Joseph R. Strayer, Preface to *The Albigensian Crusade*, p. iv.

⁶⁰ William Ch. Jordan, Teófilo F. Ruiz, 'Joseph Reese Strayer', p. 300.

⁶¹ William Ch. Jordan, Teófilo F. Ruiz, 'Joseph Reese Strayer', p. 303.

⁶² Among these are: Joseph R. Strayer, 'Problems of Dictatorship: The Russian Experience', where he applies his view of the feudal state to the U.S.S.R. or 'The Tokugawa Period and Japanese Feudalism', which compares the feudal trajectories of Europe and Japan. The date of

Once again, as with his idea regarding the centralization of the Modern State, his view of education was shaped by his liberal position. He repeatedly stressed the social value of education,⁶³ because he believed that it was meant to challenge ‘the overspecialization, lack of imagination, and excessive interest in methodology’.⁶⁴ Spiegel and Freedman agree that his ‘cultural progressivism’ was probably inherited from the humanistic principles that Haskins established *The Renaissance of the Twelfth Century*.⁶⁵ The cultural image of scholasticism and knowledge of the twelfth century that Haskins provides privileges the search for knowledge, the discovery of the classics, and the use of philosophical logic, creating, in sum, an optimistic vision of humanity.

From this perspective, History becomes a tool for the development of his view of Western civilization, and the historian is a professional who works to overcome the errors of the past, transmit its intellectual legacy, and heighten its value.⁶⁶ History is thus articulated as a discipline at the service of nations and, by extension, of governments, to signal the direction they should take in the midst of the social and cultural difficulties: ‘past experience has to be our guide in these troubled waters’.⁶⁷ Teaching and education were one of the cardinal pillars of the historian, who not only had to convey facts and analyse them knowledgeably,⁶⁸ but also establish a position.

this essay suggests that he wrote it in the context of the centenary of the Meiji reforms and the suppression of Japanese feudalism (1868).

⁶³ ‘No community can survive and no institution can function without constant reference to past experience’ (Joseph R. Strayer, Introduction to *The Interpretation of History*, p. 9).

⁶⁴ Joseph R. Strayer, ‘Graduate Training in the Humanities’, in *Medieval Statecraft and the Perspectives of History. Essays by Joseph R. Strayer*, p. 395.

⁶⁵ ‘[...] the Renaissance of the twelfth century became important not so much for the revival of ancient learning as for its optimism, for the change it effected in mentality [...]’ Paul Freedman, Gabrielle M. Spiegel, ‘Medievalisms Old and New: The Rediscovery of Alterity in North American Medieval Studies’, pp. 690–691.

⁶⁶ Joseph R. Strayer, ‘The Teaching of World Cultures: A Historian’s Viewpoint’, in *Medieval Statecraft and the Perspectives of History. Essays by Joseph R. Strayer*, p. 387. See also ‘Compulsory Study of American History—An Appraisal’, in *The Public Opinion Quarterly*, 4 (1942), pp. 537–548.

⁶⁷ Joseph R. Strayer, ‘United States History and the World History’, in *Medieval Statecraft and the Perspectives of History: Essays by Joseph R. Strayer*, p. 394.

⁶⁸ Harry Elmes Barnes, *A History of Historical Writing* (Norman: University of Oklahoma, 1938), pp. 266–275.

The separation of areas of knowledge, useless out of context, produced, according to Strayer, antiquated collectors of meaningless events.⁶⁹ So, how should one teach and how could a professor take advantage of his or her knowledge of the past and the process of historical research? Here, Strayer explains his theory of History – ‘the study of all past human activities’ – which he classifies, apart from as a tool for social development, as an art more than a science.⁷⁰ The historian, working within the paradigms and ideologies of progressivism, becomes the key factor that gives life to events of the past through the process of interpretation. But these readings of the past, framed within the optimistic image of a United States that embodies the liberalism, individualism, and rationality of Western society, places on the historian the responsibility of making this complex reality known, because many elements have created our current world.⁷¹ This responsibility, however, must be shaped by ‘common sense’, an expression Strayer uses insistently, together with knowledge and cultural openness.

Strayer’s view of the historian, as he explains in the introduction of *The Interpretation of History*, is that of a liberal man, as Carl L. Becker (1873–1945), a disciple of Frederick Jackson Turner and a progressive like Haskins, clarifies, noting that ‘every man must be his own historian if he is to be fully man’.⁷² This foregrounds the humanistic attribute of those who make History, and marks them as persons who are honest, creative, reflexive, understanding, and prudent, as responsible citizens, and not merely organized and rational links in the process of Western civilization. He believed that historians were key figures in the formation of patriotism, specifically for U.S. citizens.⁷³ He concludes his theories regarding History’s value as a discipline to be studied and taught with the notion of liberal democratic ideals and the United States’ world leadership precisely because it promoted an ideology that exalted liberalism: ‘a state exists chiefly in the hearts

⁶⁹ Ernst A. Breisach, *Historiography: Ancient, Medieval & Modern*, p. 330.

⁷⁰ Joseph R. Strayer, Introduction to *The Interpretation of History*, p. 3. This ‘progressivist’ vision of History is explained in Ernst A. Breisach, *Historiography: Ancient, Medieval & Modern*, pp. 330–331.

⁷¹ *Vid.* Footnote 5.

⁷² Carl L. Becker, ‘Everyman His Own Historian’, in *American Historical Review*, 2 (1931), pp. 221–236.

⁷³ Joseph R. Strayer, ‘Compulsory Study of American History – an Appraisal’, *The Public Opinion Quarterly*, 4 (1942), pp. 537–548.

and minds of its people; if they do not believe it is there, no logical exercise will bring it to life'.⁷⁴

His progressive pedagogy did not overshadow his commitment to writing synthesis and reference books on the Middle Ages. Many of his books continue to be the chief references on the topic at major American universities. Among them are: *The Middle Ages* (1942), a brilliant political history of Europe from 395 a 1500, written in collaboration with Dana Carleton Munro, also a Professor at Princeton in the 1920s⁷⁵ (this classic text has been revised over the years); *The English Government at Work: 1327–1336. II. Fiscal Administration* (1947), with James F. Willard; *Western Europe in the Middle Ages: A Short History* (1955); *The Course of Civilization* (with E. Harris Harbison and Hans W. Gatzke, 1961); *Feudalism* (1965), which examines the phenomenon and its political, social, and economic reach; *On the Medieval Origins of the Modern State* (1970), the collection of the 1961 Witherspoon Lectures;⁷⁶ *Western civilization since 1500* (by Joseph R. Strayer and others, 1971) and the *Dictionary of the Middle Ages* (1982–1989).⁷⁷

Other works marked the generation of historians that he taught and who also entered universities all across the United States, including William Chester Jordan, who continued with Strayer's research focus on Louis IX of France and the Seventh Crusade (Princeton University)⁷⁸ or the first African American who received a BA at Princeton (1956), Bennet D. Hill (1934–2005, University of Illinois at Urbana-Champaign), who focused on the relations between the Church and State and the Benedictine monasticism. Thomas N. Bisson (Harvard University), who studied Languedoc in the thirteenth century and medieval Catalonia, was another of his students.⁷⁹ Especially notable among Strayer's former students is the prolific Canadian writer and intellectual, Norman F. Cantor (1929–2004), well-known in medieval circles for his critique of the academism in historiographical study, which he presents in *Inventing the Middle Ages: The Lives, Works and Ideas of the Great Medievalists of the Twentieth Century* (1991). A second generation of scholars who learned from Strayer includes Paul Freedman, a student of

⁷⁴ Joseph R. Strayer, *On the Medieval Origins of the Modern State*, p. 5.

⁷⁵ Harry E. Barnes, *A History of Historical Writing*, p. 262–263.

⁷⁶ Joseph R. Strayer, *On the Medieval Origins of the Modern State*, pp. v–vi.

⁷⁷ Charles T. Wood, 'Dictionary of the Middle Ages and Dictionary of Medieval Civilization. Review', in *Speculum*, 60 (1985), pp. 967–971.

⁷⁸ http://www.princeton.edu/history/people/display_person.xml?netid=wchester

⁷⁹ <http://history.fas.harvard.edu/people/thomas-bisson>

Bisson, whose early work focused on the medieval Catalan peasantry⁸⁰ and Teófilo Ruiz (currently at UCLA), a Cuban American scholar who studied thirteenth- and fourteenth-century Castile.⁸¹ Finally, we might mention Richard William Kaeuper (University of Rochester), who studied issues of justice in fourteenth-century England and questions of knighthood.⁸² The list of scholars influenced by Strayer continues, and includes John Benton, Charles N. Radding, Robert Lerne and Lester K. Little. It would be interesting to calibrate and analyse the changes or developments that these academics have operated on the conceptual, technical and thematic issues that Strayer explored, a topic that Spiegel has, to a certain degree, already examined.

Strayer's legacy, personified in these and many other scholars that he guided, evidence a spirit of progressivism in a man concerned with promoting his students' creativity and originality. His approach towards his discipline reveal him as more than merely a liberal historian whose institutionalist and positivist weight led him to produce more than just narratives of the time of the Cold War. Haskins' influence and his identification with specific democratic models shaped his vision and historical methodology, but his essays and the themes he worked on led him to consistently appreciate and communicate the idea that the History that he aimed to transform into a guide for the Western world was fragile and useful only for those who would use it well.⁸³ Was he, thus, also conscious of his own limitations?

In conclusion

In the light of this discussion, we can affirm that Strayer's interest in the birth of the Modern State and its governmental model derived from his position within the progressive ideology and that much of what he wrote may have

⁸⁰ <http://history.yale.edu/people/paul-freedman>

⁸¹ <http://www.history.ucla.edu/people/faculty/faculty-1/faculty-1?lid=869>

⁸² http://www.rochester.edu/College/HIS/faculty/kaeuper_richard/index.html

⁸³ 'It is, of course, the connection among facts rather than the facts themselves that count, but the fewer the facts, the fewer and more tenuous the connections which can be established. Conversely, the cumulation of facts, like the accumulation of electricity, can set off sparks that bridge gaps and fuse together bodies which were once completely separate. The ability to see new and unexpected connections is one of the marks of a great historian, but he will not make the new connections if there is nothing in his mind to be connected.' Joseph R. Strayer, 'Graduate Training in the Humanities', in *Medieval Statecraft and the Perspectives of History: Essays by Joseph R. Strayer*, p. 396.

come from reports for the CIA. But was this his only source of interest for the history of Western Europe? His access to and engagement with original archives, his broad knowledge of the European historiographical debate on the themes he studies – the Norman institutions, feudalism, the Crusades and the monarchy of Philip IV,⁸⁴ lead us to conclude that the ideological itinerary that Spiegel or Freedman assign to him cannot be the only pillar of his academic and historical endeavour.

Strayer's faith in liberalism and the democratic system cannot be divorced from his notion of history. The image he projects and the words he deploys reveal, repeatedly, a *quasi*-superiority of spirit in the Western governments that are constitutional, centralized, secularized and which possess a solid legal base, against those that do not have these characteristics. Further, Cantor noted that, in the 1970s, Strayer had difficulty in dealing with post-modernist perspectives of history, radically different from Haskins' rational and positivist approach, which also marks his own work.⁸⁵ He also struggled to understand the growing opposition towards both liberalism and the Cold War, as well as toward his teleological version of the medieval state.⁸⁶ Nonetheless, it does appear that he did perceive the changes within his own department, as it shifted to embrace the New History, spearheaded primarily by Natalie Z. Davis.

Less than two years before Strayer's death, Mikhail Gorbachov and his *perestroika* led to the end of the Cold War and a new chapter of History, on the end of which Francis Fukiyama used to insist, began. American medievalism, which by then had opened itself to new horizons beyond the one-dimensional and rational political-administrative history championed by Haskins and Strayer, acknowledged the winds of change. Though a new approach to history became inevitable, it developed based on the methodologies and perspectives promoted by Strayer, whose commitment to his discipline and to education ultimately made the change possible.

⁸⁴ 'The lesson that medieval monarchy thus bequeathed to the American present was the power of government to effect unity and consensus out of fragmentation and discord.' (Paul Freedman, Gabrielle M. Spiegel, 'Medievalisms Old and New: The Rediscovery of Alterity in North American Medieval Studies', p. 686).

⁸⁵ *Ibid.*, pp. 694–700.

⁸⁶ Norman F. Cantor, *Inventing the Middle Ages*, p. 283.

Chronology

1904	Joseph R. Strayer is born on August 20 in Baltimore, Maryland
1925	he receives his B.A. from the University of Princeton
1926	he receives his M.A. from the Harvard University
1928–1929	he studies at the University of Paris
1929	he marries a psychologist, Lois Curry
1930	he begins teaching as instructor at Princeton
1932	he receives his PhD from the Harvard University and publishes his thesis, <i>The Administration of Normandy under Saint Louis</i>
1939	he publishes, together with Charles H. Taylor, <i>Studies in Early French Taxation</i>
1950	1960: Strayer allegedly collaborates with the CIA as part of the Panel of Princeton Consultants
1965	he publishes <i>Feudalism</i>
1970	he publishes <i>On the Medieval Origins of the Modern State</i>
1971	he publishes <i>The Albigensian Crusade</i>
1973	he retires from active teaching at Princeton
1975	he starts working on a the <i>Dictionary of the Middle Ages</i> (published in 12 vols 1982–1989)
1980	he publishes <i>The Reign of Philip the Fair</i>
1987	he dies at the age of 83

Bibliography

A list of all of Strayer's publications, in chronological order, may be found in: *Medieval Statecraft and Perspectives of History* (Princeton: Princeton University Press, 1971), pp. 401–410. Here we list his books and edited volumes:

The Administration of Normandy under St. Louis (Cambridge, The Mediaeval Academy of America, 1932)

The Royal Domain in the Bailliage of Rouen (Princeton, Princeton University Press, 1936)

Studies in Early French Taxation (with Charles H. Taylor) (Cambridge, Harvard University Press, 1939)

The Delegate from New York: Proceedings of the federal Convention of 1787 from the Notes of John Lansing Jr. (Princeton, Princeton University Press, 1939)

- The Middle Ages, 395–1500* (with Dana Carleton Munro) (New York, Appleton-Century, 1941, revised 1959).
- The interpretation of History* (editor, with an introduction by J.R. Strayer) (Princeton, Princeton University Press, 1943)
- American History in Schools and Colleges* (ed. by E. B. Wesley; member of draft in committee and author of chapter 2) (New York, The Macmillan Company, 1944)
- Report on the Editing of Materials in Medieval Research* (mimeographed pamphlet) (Cambridge, Mediaeval Academy of America, 1945)
- The English Government at Work. 1327–1336. II. Fiscal Administration* (editor with William A. Morris, and author of introductory chapter on royal revenues) (Cambridge, The Mediaeval Academy, 1947)
- Western Europe in the Middle Ages: A Short History* (New York, Appleton-Century-Crofts, 1955)
- The Course of Civilization* (with E. Harris Harbison and Hans W. Gatzke), 2 vols (New York, Harcourt, Brace & World, 1961)
- Feudalism* (Princeton, Van Nostrand, 1965)
- The Mainstream of Civilization* (with Hans W. Gatzke, E. Harris Harbison and E. L. Dunbaugh) (New York, Harcourt, Brace & World, 1969)
- Les gens de justice du Languedoc sous Philippe le Bel* [traduit de l'anglais] (Toulouse, Association Marc Bloch, 1970)
- On the Medieval Origins of the Modern State* (Princeton, Princeton University Press, 1970)
- Medieval statecraft and the perspectives of history* (with a foreword by Gaines Post) (Princeton, Princeton University Press, 1971)
- The Albigensian Crusades* (New York, The Dial Press, 1971)
- Western civilization since 1500* (by Joseph R. Strayer and others) (New York, Harcourt Brace Jovanovich, 1971)
- The Reign of Philip the Fair* (Princeton, Princeton University Press, 1980)
- Dictionary of the Middle Ages* (Joseph R. Strayer, editor in chief) (New York, Scribner, 1982–1989).

5. JOSÉ ANTONIO MARAVALL (1911–1986): HISTORIAN OF MEDIEVAL SPANISH SOCIAL AND POLITICAL THOUGHT

Alejandro DÍZ

Recognised for his role in the revival of Spanish historiography in the second half of the twentieth century, José Antonio Maravall Casesnoves was one of the most important scholars of the history of Spanish political thought. He pioneered new and revised historiographical perspectives, and the so-called history of the mentalities – through both theoretical proposals and their methodological application – as a conceptual space between the history of ideas and social history, blending intellectual history mindful of the social context with a thoughtful social history. Reflecting on the direction in which his work in the history of thought was developing as a sort of branch of social history, Maravall emphasised that his interest lay

not so much the ideas that first appear in a great theoretical writer, as the layer or fabric of beliefs, ideals, feelings, myths etc. that circulate in a society and constitute the mental model that it creates from the world around it to organise its collective existence.¹

He can also be considered a follower of what we call ‘conceptual history’, which takes strands from the history of ideas, philosophy and social and political thought. Maravall states:

I must confess that I have a great interest [...] in all types of research and interpretation in the field of History which, acting as a nexus for viewpoints in different social and human sciences, highlight the systematic and logically based connection between them.²

Maravall’s writings are characterised by conceptual wealth, with the emphasis both on the study of individualities and the concept of community; by

¹ José Antonio Maravall, *Estudios de Historia del Pensamiento Español, I. Edad Media* (1968) (Madrid: Edic. Centro de Estudios Políticos y Constitucionales -CEPC-, 1999), p. 436.

² José Antonio Maravall, *El mundo social de la Celestina* (1964), ‘Prólogo a la 2ª edición’ (Madrid: Gredos, 1968), p. 11.

the intellectual density and breadth of cultural background, with constant political, literary, cultural or social references, on which his historiographical approaches turn; and by the skill with which he traces antecedents and consequences of the event or thought that he is studying. Also notable is his rich and precise writing style.

Certain key features of his historiographical work are worth highlighting: in the first place, the notion that historical understanding and interpretation should be based not only on knowledge of past events but also on the ideas and mentalities of the people who lived those events, giving rise to the interdisciplinary character that his writings exude. 'If you take an idea from a page of mine,' Maravall writes, 'it comes out dripping with facts; if you come across a fact, you will immediately see how it was interpreted. In history, as in physics, the fact and its interpretation are inseparable.'³

Second, his historiographical work involves the practice of comparative history, in particular between that of Spain and those of the countries in its cultural and geopolitical setting in each period of the different topics he analyses. He believes that Spanish history cannot be understood apart from that European context to which it has always been integral – historically, politically, geographically and intellectually. He wrote a comparative history that provided a sound basis for avoiding the self-absorption and exceptionalism into which Spanish historiography had frequently fallen, an approach connected to his critique of the existence of certain essentialist and static 'national characteristics'.

Theory of Historical Knowledge

Maravall published *Theory of historical knowledge*, a pioneering work in Spain because of its analysis of the consequences of the spectacular development of the experimental sciences on the humanities and social science, and in particular on historiography. 'The individual element in history,' he explains,

does not lie in the isolated fact, but in the unrepeatable connection in which it takes place. The individual is the whole; the historical fact is not a discrete detail, it is a concatenation. The singularity of the history is the singularity of the whole, a whole in which there is a reciprocal solidarity of the parts, in which everything is immanent in them because the parts only exist, and acquire proper meaning, in the whole [...] The event, then is historically individualised only in the whole.

And he complements this line of argument by noting that:

³ *La historia de las mentalidades como historia social* (Madrid, October 1980).

It is only the historian's vision that transforms a simple piece of data into a historical fact. History is always, therefore, necessarily interpretation and not a mere reflection of a naked reality that in and of itself would be historical reality.

In his historiographical vision, then, Maravall is always conscious of the duality of the historical fact and of the historian as the interpreting subject of that fact.⁴

In his dense historiographical work on political thought and mentalities in Spain, he focuses, fundamentally, on events in specific periods, in particular the Middle Ages, the Renaissance, the Baroque period and, in a less systematic way – though no less profound for that – the Enlightenment. This 'modern world' was the vortex on which his historical analysis and interpretations was based, with incursions backwards and forwards in historical time throughout the whole course of his intellectual and academic life. Maravall himself wrote that 'what needs to be taken into consideration are periods – which do not always conform to chronological regularity – within which interrelated facts present themselves to us, so that we can express and explain the configuration that comprises them,' which is why

the historian must cover in his work one of those processes, and if he will often only investigate a part of it, he must do so without losing sight of the whole to which the fragment he is concerned with belongs.⁵

His interest in medieval studies arose during one of his academic research incursions to better understand and interpret the 'modern world' in Spain. 'All our efforts at historical research and investigation' he writes, 'come to be understood within that same framework [the 'modern world']'. Even our

⁴ *Teoría del saber histórico* (Madrid: Revista de Occidente, 1958), pp. 86–87, 90 and 98. On Maravall's historiographical methodology, see: Carmen Iglesias, 'Prólogo' a los *Estudios de Historia del Pensamiento Español* de José Antonio Maravall, op.cit. (1999); and 'Retrato personal de dos maestros' [J. A. Maravall y L. Díez del Corral], in *Revista de Occidente* (Madrid: October 2012, n° 377), pp. 9–42. Carmen Iglesias and Alejandro Diz (edition and introductory studies), *Escritos de Historia Militar de José Antonio Maravall* (Madrid: Ministerio de Defensa, 2007), pp. 13–70. Francisco Javier Caspistegui, 'José Antonio Maravall entre el medievalismo cultural y el historiográfico', in *Jerónimo Zurita* (Madrid: 2007, n° 82), pp. 99–138. F.J. Caspistegui and I. Izuzquiza (editors), *Maravall, José Antonio: Teoría del saber histórico* (Pamplona: Ugoiti Editores, 2007). Reviews of *Teoría del saber histórico* in: Romano García (*Índice*, 1958; and *Cuadernos Hispanoamericanos*, 1959); E. Benito Ruano (*Hispania*, 1959); Jaime Vicens Vives (*Índice Histórico Español*, 1959); H. Carpintero Capell (*Ínsula*, n° 150); F. Tomás y Valiente (*Anuario de Historia del Derecho Español*, 1959); Fernando Díaz de Cerio (*Gregorianum*, 1960).

⁵ *Estudios de Historia del Pensamiento Español, II. La época del Renacimiento* (1984). (Madrid: Edic. CEPC, 1999), p. 125.

excursions to the world of the Middle Ages have as their aim to illuminate some obscure point concerning its connection with what comes after, with that historical era in which European culture reaches its zenith.⁶ He used the fulcrum of the modern era to solidify his work on the Middle Ages into a distinguished body of historical work, the standard reference for many topics. His first text with medieval content was *La formación de la conciencia estatal de los letrados*, published in 1953. In this medieval corpus, his work *El concepto de España en la Edad Media* (1954), a canonical text in Spanish historiography, is particularly noteworthy. His well-known *Estudios de Historia del Pensamiento Español*, the first volume, on the Middle Ages, includes nineteen essays that had already appeared in journals, collections, miscellanies or prologues, with subjects that range from the political thought of the High Middle Ages or the concept of medieval monarchy, to the concept of knowledge in a traditional society, the vital Hispanic components of the Visigoths or the problem of feudalism in Spain. They deal with, essentially, four great themes of medieval social life in Spain – political power, law, community, and knowledge. As a whole, his medieval studies and writings embody his reflections on Spain in general, influenced by Jose Ortega y Gasset and Pidal in the fifties and in the decade that followed, attributing to history a certain ‘community integration’ function.⁷

⁶ J. A. Maravall, *Velázquez y el espíritu de la modernidad* (Madrid: Edcs. Guadarrama, 1960), p. 25. Carmen Iglesias, who has a profound knowledge of Maravall’s life and thought, has pointed out that his 1944 book *Teoría del Estado en la España del siglo XVII*, led him to his interest in and study of the Renaissance and that this ‘obliged him to delve into key aspects of the Middle Ages, perhaps to ascertain if indications of the ‘threshold of modernity’ were already present’ (‘España y Europa en el pensamiento de José Antonio Maravall’, in *Historiadores de la España medieval y moderna. Revista de Historia Jerónimo Zurita*, 73, 1998, p. 214).

⁷ Francisco Javier Caspistegui has made the point (*José Antonio Maravall entre el medievalismo cultural y el historiográfico, op. cit.*) that Maravall, in the wake of a seminal article on the subject from 1934 – ‘Castilla o la moral de la creación’, in *Revista de Occidente*, XLVI – did not become a medievalist, although cultural medievalism would furnish a persistent background. The same author offers a quantitative breakdown of Maravall’s entire oeuvre, with a total of 29 works on medieval themes, constituting 7.61% of his total output and 13.74% of his historical writings. He draws attention to the chronological concentration of these medievalist publications – 25 out of a total of 29 – between 1953 and 1969, which means that ninety per cent of all the publications with a medieval theme appeared in little over a decade and a half. In Caspistegui’s opinion, ‘the recognition that Maravall gained among medievalists needs to be appreciated; for them he was always a prestigious professional, but occupying a space other than their own’ (p.135). On the repercussions and impact of Maravall’s medievalist work,

The comparative historical perspective and the integration of Spain into the European context that mark Maravall's work also characterise his medieval studies. After pointing out, in his prologue to the first edition of *Estudios de Historia del Pensamiento Español: Edad Media*, that the situation of every European people throughout history offers, along with a wide range of common elements, others that are unique, he adds that the historian's task, however, 'does not boil down to chasing up differences, and nor can these be understood other than on the basis of existing interconnections'. If that perspective is tenable, in general terms, for different eras, it holds equally true, and 'most eminently so, for our Middle Ages, whose cultural problems, in the broadest sense of that word, never obscure their kinship with those encountered in the history of France or Italy or England, etc.'⁸ This did not prevent Maravall from analysing certain peculiarities, glaring in some instances, of medieval Spain – such as, for example, the singularity of the medieval Spanish monarchs, who, in contrast to other European monarchs, wielded significant actual power, but without either the formal organisation or the conception of kingship there was in other western countries; or, to give another example, the weakest of feudal ties, with diverse repercussions in the various Spanish territories and at different points in that period.

Biographical Notes (Játiva, Valencia, 12 June 1911–Madrid, 19 December 1986)

José Antonio Maravall Casesnoves was born in Játiva (Valencia), on 12 June 1911.⁹ He received his secondary education at the Colegio Setabense in his native city. In the 1927–1928 academic year, he enrolled in the first year

especialmente around *El concepto de España en la Edad Media*, see the section in Caspistegui's text titled 'La emancipación de los textos', pp.125 ff.

The medieval academic Julio Valdeón wrote: 'we can state quite categorically that José Antonio Maravall's work [*El concepto de España en la Edad Media*] has acquired the status of a classic of Spanish medieval historiography. For this book alone, we medievalists are indebted to Professor Maravall' ('Maravall como estudioso de la Edad Media española', *Cuadernos Hispanoamericanos*, 477/8, 1990), p. 254).

⁸ *Op. cit.*, en edic. CEPC, p. 4.

⁹ Biographical details on J. A. Maravall in: Carmen Iglesias, 'José Antonio Maravall Casesnoves: Noticia biográfica', in *Homenaje a José Antonio Maravall* (Madrid: Centro de Investigaciones Sociológicas, 1985), T. I, pp. 17–18. See also the section 'Semblanzas y entrevistas', pp. 39–41, especially 'Conversación con José Antonio Maravall', by M^a del Carmen Iglesias, *Cuadernos Hispanoamericanos*, n° 400, Madrid, 1983.

of studies of Philosophy and Literature, and also Law, at the University of Murcia. His teachers included Jorge Guillén, Cayetano Alcázar and Gabriel Franco. He completed his studies in Law at the University of Madrid (1928–1931). He first met Luis Díez del Corral, who would become his good friend and colleague. In 1928–1929, a group of friends, including Maravall, set up *Nueva Revista*, collaborating with great poets of the time such as Juan Ramón Jiménez, Pedro Salinas, Vicente Aleixandre, Luis Cernuda, Rafael Alberti, and publishing essays on historical, social and political subjects. Maravall continued to write in the pages of important newspapers and magazines of the age, such as *El Sol*, *Revista de Occidente*, and *Cruz y Raya*.

He took a position as Assistant Lecturer in Political Economy, with Flores de Lemus, at the University of Madrid (1932–1934), and as Assistant Lecturer in Constitutional Law with Pérez Serrano (1934–1936).

In 1933, he passed the national public examinations to obtain a post in the Ministry of Education, where he eventually arrived at the top of the promotion ladder. Throughout his years at the Ministry, combining his technical-administrative career with a university one, he took on posts as Head of the Departments of Professional Training, of Legal-Administrative Resources and of Universities, and as the Ministry of Education's representative in international cultural organisations.

The Civil War in Spain tore Maravall's generation apart, frustrating the ideals held by many Spaniards about regeneration and integration in Europe. He continued his university activities, becoming Assistant Professor of Sociology in the Madrid Social School between 1942 and 1946. In 1944, he received his PhD in Law, publishing his doctoral thesis as *Teoría del Estado en España en el siglo XVII* that same year. He then worked as an Assistant Professor in the Doctoral Chair of 'Higher Studies in Political Science' in Madrid University's Faculty of Law (1944–1946). A collaborator and, later, member of the Institute of Political Studies, his research centred on the field of history of thought, where he tried to discover, in his own words, 'how to connect the themes of Spanish culture or history [...] in the field of the successive forms of the European mentality'.

He graduated in Political and Economic Science. He obtained, by competitive examination, the Chair of Constitutional Law and Social Theory, in the Faculty of Law at the Complutense University in Madrid (1946–1949).

Carmen Iglesias, 'Retrato personal de dos maestros', *op. cit.*, in which this historian of ideas and academician of the Reales Academias Española y de la Historia provides some sketches of her masters Díez del Corral and Maravall.

He then served as Director of the Colegio de España in the University of Paris, appointed by the President Jean Sarrailh (1949–1954). During his stay in Paris, where he also coincided with Díez del Corral, where both worked to raise awareness of the cultural heritage of Spain and, at the same time, to spread among other Spanish friends and intellectuals the French contribution, particularly in the sphere of social science, with a special emphasis on historical science. Maravall associated with historians around the *Annales* journal, including Fernand Braudel, as well as with other philosophical-literary historians such as Marcel Bataillon. Scholars of Maravall's thought agree that these Parisian years are crucial to understanding his great books and historiographical orientation.

From 1949, he was involved in activities at the International Menéndez Pelayo University in Santander, giving his first lecture there in 1950. In 1955, he delivered a lecture on 'History and the present'. In 1956, he became the Head of the Humanities and Contemporary Problems Department and organised a special course dedicated to the work of Menéndez Pelayo. The following year he gave a talk on 'History as life horizon', wherein he exposed some of his preoccupations regarding giving historiography the broadest possible scientific basis, while at the same time emphasising the *historical* character of the human condition. Subsequently, in 1977, he taught a course in at University that was crucial for his work, entitled 'The Spanish Enlightenment of the Eighteenth Century'.

In 1955, he obtained, by competitive examination, the Chair of 'History of Spanish Social and Political Thought' in the Faculty of Political and Economic Science at the University of Madrid. There, Maravall, along with Luis Díez del Corral and the historian of institutions Luis García de Valdeavellano, created a Department of History that continues to stand out for its excellence, a pioneer in certain fields and far from common for the period.

In the early sixties he engaged historical sociology applied to literature and art with two academic studies of great subtlety, *Velázquez y el espíritu de la Modernidad* (1960) and *El mundo social de 'La Celestina'* (1964), which light up the way for subsequent works in this historiographical area such as *La cultura del Barroco. Análisis de una estructura histórica* (1984) and *La literatura picaresca desde la historia social* (1986).

He worked as an Associate Professor at the University of Paris-Sorbonne (1969–1971); he was also Visiting Professor and consultant at the University of Minnesota (1978–1979 and 1979–1980). In 1981, he was appointed Chair, following nomination by that University in the national level competition, for the Hill Professorship.

From 1956 he was a corresponding member of the Real Academia de Buenas Letras de Barcelona. In 1961 he was elected as a Life Member of the Real Academia de la Historia; his inaugural speech, presented in 1963, was entitled 'Los factores de progreso en el Renacimiento español', to which the academician P. Miguel Batllori, S.I., responds.

Between 1969 and 1974, he was President of the Asociación Española de Ciencias Históricas. He was also a member of the Sección Española del Movimiento Europeo, as well as, from the early 1970s, of the Comisión Española de la Asociación de Escritores Europeos (formerly the Congreso para la Libertad de la Cultura).

He was also a member of several Spanish and international organisations and journals: the International Committee of the History of Ideas; the Commission Internationale pour l'Étude des Assemblées d'États; the Hispanic Society of America; the editing committee of the *Revista de Occidente*, the *Revista de Estudios Políticos*, the *Hispanic Review*, the *Bulletin Hispanique* and *Imprévu*. He was editor of the journal *Cuadernos Hispanoamericanos*, from 1964.

He received an award from by the Association of European Writers for his book *El mundo social de 'La Celestina'* (1964); in 1976, he received the Institut de Estudis Catalans Bonsoms Prize for his book *Utopía y contrautopía en 'El Quijote'* (1976).

Apart from participating in numerous national and international colloquiums and conferences, taught specialised courses and lectured at the universities of Paris, Tours, Toulouse, Bordeaux, Aix-en-Provence, Nice, Zurich, Vienna, Bologna, Naples, Florence, Rome, Utrecht, Nijmegen, Budapest, New York, Harvard, Pennsylvania, Minnesota, Chicago and at most Spanish universities.

He was also a member of the Comisión Nacional Asesora Científica y Técnica.

He was named Doctor Honoris Causa by the universities of Toulouse (1978) and Bordeaux (1986).

Maravall passed away in Madrid on 19 December 1986. In 1987, the National Essay Prize was awarded to him by the Ministry of Spanish Culture for his book *La literatura picaresca desde la historia social*.

The concept of Spain in the Middle Ages

Although, as has already been noted, Maravall's first text on a medieval theme was *La formación de la conciencia estamental entre los letrados* (published in

1953 in the *Revista de Estudios Políticos*), his medieval work par excellence was *El concepto de España en la Edad Media* (the first edition was in 1954).¹⁰ Maravall explains, in his Prologue to the 2nd edition, that what led him to write the book had been the conclusion that

certain peculiarities of Spanish History – equivalent to yet different from those evinced by other western peoples – depended, at least in part, on the very vision of their political coexistence that the Spanish had, throughout the medieval centuries in which the political communities of modern Europe were forged.

And he continues, with regard to the rationale and contents of the work:

The problem that led us to the research work that resulted in this book was none other than the attempt to comprehend how the ancient choronym Hispania had been transformed, over the course of our medieval history, into the political programme of the modern Spanish community as such.

[...]

This is not an attempt to develop a complete history of Spanish political thought before 1500, but rather to proceed on the basis of a focus on certain political facts and documents provided by that discipline, in order to consider, from that new vantage point, a truly fundamental aspect of our Middle Ages. We will not touch on matters such as Visigothic law or Muslim rule in the Peninsula, the figure of the King or the relationship between king and vassals, other than where they affect the process by which the sense of Hispanic community is formed.

In the Prologue to the 3rd edition, he states that the pages of the book

allow us to observe the historical process through which the Middle Ages – whose legacy for Modernity is forced heirship – took the peninsular groups to the level of the broadly based and characteristic communities that prove to be already internalised in the consciousness of their members, but without having properly hardened into the exclusive nature of the post-1789 type of nation.

In his analysis of the formation of this idea of community, Maravall uses very varied sources, researching rigorously in both Castilian-Leonese

¹⁰ José Antonio Maravall, *El concepto de España en la Edad Media* (Madrid: Instituto de Estudios Políticos, 1954) [2nd ed. 1964; 3rd ed. 1981; 4th ed., Madrid: Centro de Estudios Políticos y Constitucionales, 1997].

and Aragonese-Catalan archives, in order to dismantle stereotypes such as that Spain had for centuries not been any more than a geographical term. In meticulously tracing this idea of community and the political ideas shaping it, he goes back to Orosius and to Prudencio, and above all to St Isidore, from whose *History of the Goths* he believes the great historical force of the subject he is tackling stems. According to Maravall, the spread of the new concept was due to three historians, the Tudense, the Toledano and Alfonso X, and especially the middle one of the trio, who with his *History*

systematically bestows on the historical object that is Spain an unbroken continuity from its origins to their present day. From then on, Spain appears as a whole over time, as a long, consecutive process that has a shared starting point and a common development.¹¹

Maravall writes

[The] very particular theme of the 'De laude Spania' proves the endurance of a concept of Spain in our [medieval] historians and at the same time makes possible a conception of Spain as a historiographical object, under [certain] conditions: an area in which it collectively behoves the men who live there to acquire merits or possess sentiments, or embody values, or, should the case arise, to suffer a loss that should make them weep with sorrow, [...] even in subsequent centuries.¹²

Maravall recognised that the medieval historiographical effort, both inside and outside of Spain, was marked by prolonged relapses into glaring particularism, a legacy from the origins of the Middle Ages and is long maintained everywhere 'so that the whole of medieval social life, in its development, is the history of overcoming particularist pluralism [...] The tension between this double aspect of totality and particularity does not disappear for a moment in the Middle Ages.' Maravall's analysis transforms Spain, for the medieval Hispanic historians, into 'a human entity established in a territory that defines and characterises it, and a common thing happens to it, a whole history to call its own'.¹³

Those living within the peninsular limits, or even in the vicinity, considered as a group, are called 'hispanos', Maravall notes; and when reference is made to human groups or 'nations', then for the whole penin-

¹¹ *El concepto de España en la Edad Media*, 4ª ed., *op. cit.*, p. 33.

¹² *Ibid.*, pp. 26–27.

¹³ *Ibid.*, pp. 41 and 48.

sular region, ‘the sole and full name Hispania appears – they attended the Council of Constance “per nationes videlicet Italicam, Gallicam, Germanicam, Hispanicam, Anglicam”’ and ‘there is almost no text written in the Spanish kingdoms during the fourteenth and fifteenth centuries that does not make use of that extrapolation to cover the whole of Spain’.¹⁴ He continues:

At the end of the Middle Ages, the very ancient group of ‘hispani’ is still present in History. They are not just the inhabitants of a place. Never can the name for a group of peoples, if carrying a purely geographical value, have had such extraordinary good fortune. For [it can be seen] that a series of characteristic features applied to them collectively, sufficient to justify the name they bore in common to distinguish them in their relationships with or in military action against other peoples. A similar nature placed them in an equal situation of political obligation, and they were cast by a single common history, without prejudice to the internal regroupings there might be, varying in relation to the particular angle they are viewed from, but always trumped by the unity of a historical destiny that the anonymous Catalan author of the *Flos Mundi* expressed as: being Spanish.¹⁵

Maravall notes that one of the most oft-repeated ways in which the word Spain arises, above all in the second half of the Middle Ages, in certificates as well as historical accounts and legal texts, is in the context of the phrase ‘according to the custom of Spain’. The great historical interest that lies in the subject of the *Consuetudo Hispaniae* is truly revealed in the legal system:

The custom of Spain is, in the medieval texts, first and foremost a source of law. It is a customary legal norm in general, or at least it is transmitted by custom from a given moment, and gives rise to the similarly frequent expression, ‘according to the custom and rule [*fuero*] of Spain’.¹⁶

Political Thought and the Concept of Monarchy in the Spanish Middle Ages

Maravall’s view of thought and his idea of political power in medieval Spain, coupled with his concept of Monarchy, are framed by the specific events and the passage of history in the Peninsula, and, in a most particular way, the war against the Muslims. The historian and academic Carmen Iglesias has written a very helpful synthesis of his historical perspective:

¹⁴ *Ibid.*, pp. 482 and 499.

¹⁵ *Ibid.*, pp. 487–488.

¹⁶ *Ibid.*, pp. 503–504.

To the extent that some of his historical concerns revolve around the formation of the modern state and the development of both the idea and the reality of Spain on the long western path from medieval feudalism to the national monarchies, and the transformation of the *subject* into *citizen* (and still earlier, of *vassal* into *subject*), war and armies figure prominently in many of his writings. The ‘democratisation of the militia’ in medieval Spain, as the war against the Muslims became more widespread – which is to say, the growing need to use the power of the infantry and of the actual colonists repopulating the territories gained from Muslim realms – undermined the feudal structure where it existed or prevented it from being consolidated in the case of other territories, while at the same time providing the Christian monarchs and kingdoms with *de facto* powers that distinguished them from other European monarchs.

The recognition of the war as a public matter or undertaking, given that it ‘concerns everyone’, as the Romanist idea had it, was formulated as early as the thirteenth century – Maravall notes – by the Catalan Pere Albert. It combines with another formulation of Romanist origin: that of the ‘*princeps terrae*’ or *unicity of power*, so that from quite early on, the personal nature of the *seigneurial* was replaced in the Iberian world with a relationship that understood the *prince* as a *public person*. Consolidation of the ‘public realm’ boosted royal power over the feudal aristocracy, supported in particular territories and at certain decisive moments by the urban militias and a more or less enforced alliance with the financial and military power of the free cities.¹⁷

In tracing the political thought of the High Middle Ages, Maravall points out that the Visigothic, and in general all Hispano-Visigothic culture, is inherited from Late Antiquity, with a powerful Senecan influence. This does not preclude the political thought of that phase basing itself on the power of kings being established by God, as in St Isidore’s summation. But the Arab invasion resulted in a stagnation or freezing of these ‘classical’ remnants. Maravall notes that we have no direct evidence of political thought for the eighth to the tenth centuries – or, at least, of anything with its own doctrinal purpose, though the first Reconquest chronicles and some contemporary certificates make it possible to reconstruct high medieval political thought in the Peninsula’s Christian kingdoms. These are documents with a conception of the king in which the public nature of his authority predominates,

¹⁷ Carmen Iglesias: Prólogo en *Escritos de Historia Militar de José Antonio Maravall* (Carmen Iglesias y Alejandro Dizeds), *op. cit.*, p.18.

with civil and ecclesiastical supremacy, in contrast to the Germanic conception of patrimony. However, the priestly or quasi-priestly nature of kingship, common in the Western Europe of the High Middle Ages, is little known in Spain. Maravall makes the point that the Hispanic king confesses himself to be in possession of an authority of divine origin, but not through ecclesiastical channels, but rather through a lay route, the stages of which are heredity and election.¹⁸

On the characteristics of the high-medieval Hispanic kings, whose proper mission as a common public task was the Reconquest, Maravall emphasises that this archetypal figure is high on the axiological scale, as they were lauded for their strength. Their military successes against Normans and Saracens were memorialised, though not in terms of physical force, but rather as a moral result of virtue and humility, on the basis of which public authority was emphatically extolled.¹⁹

As for the concept of law, what needs to be borne in mind is the idea that prevailed in the Middle Ages, in the sense that two rules governed human-kind: natural law and customs. Law 'is received or recognised, but not created'. But, in Spain, another aspect needs to be added: 'The Spanish monarchs believed they could avail themselves of their own body of law, derived from the authority of their predecessors and the majestic manifestation of their authority: the *Forum judicum*'. The Spanish king 'is the public ruler who holds authority of divine origin and democratic foundation, for the government and defence of the people [...] Thus, the king appears as an instrument of the public peace and safety.'²⁰

The pre-eminence with which the king is believed to be endowed does not contradict 'a clear idea of the limitation of his power and, above all, of the rectitude with which it must be applied.' There is thus, Maravall points out, a repertoire from the original *Chronicles* of 'adverse judgments, vigorously unfavourable, on some or other of the kings, deeming them bad rulers who abused their authority'. They were not, however, considered tyrants. Following the doctrine of early Christianity, a tyrant is a usurper of a power that does not belong to him legitimately – what the Late Middle Ages would call a 'tyrant in default of title'. The bad king, by contrast, remains no less a king. Maravall notes that not until the end of the eleventh century, due to

¹⁸ 'El pensamiento político en la Alta Edad Media' (1958), in *Estudios de Historia del Pensamiento Español, I. Edad Media*. Edc. CEPCC, 1999, pp. 28, 30, 32–3, 39 and 43.

¹⁹ *Ibid.*, p. 45.

²⁰ *Ibid.*, pp. 45–47.

French and ecclesiastical influences, does the idea of tyranny through wrongful exercise of power become prevalent. Indeed, in the early twelfth-century chronicles, the epithet 'tyrant' is applied for the first time to any king who abuses his authority and exercises his power unjustly.²¹

Maravall underlines a phenomenon that has not always been sufficiently appreciated in the world of medieval historiography, regarding the limitations on royal power in Spain, and the existence of medieval Hispanic antecedents in the modern development of individual rights. Thus, what is established as a result of Alfonso IX of Leon's 1188 decrees in Spain, for the first time in Europe – which is to say, earlier than in England – is the participation of the common people in political Assemblies. 'In 1188,' Maravall notes, 'there appear, alongside the bishops and magnates, the 'citizens elected by each town' and the king promises in advance not to reach agreements without the three estates meeting.' In the Cortes that met in Leon in 1188 – 'admirable starting point for our constitutional history', in Maravall's words – the king legislates 'cum archiepiscopo et episcopis et magnatibus regni mei et cum electis civibus ex singulis civitatibus'. Equivalent declarations are repeated in subsequent parliaments. In the Leon Cortes of 1208, apart from the presence of the citizens representing the towns, there is the declaration regarding the law as being created with general consent.

[...] in the Leon Charter of 1188 there are a series of declarations, with their corresponding guarantees, by which the people seek to defend their rights in the face of the powerful and even of kings. Means were established for securing the development of judicial procedure in accordance with law, with a final application to appeal before the king [...] [And] a series of guarantees were put in place: the right to a fit judge; the right to legal rulings; the limitation of certain penalties, etc. Along with this is the duty to aid and respect justice. This Leonese document of Alfonso IX also contains the introduction of a right to the inviolability of the home, the defence of property rights and the principle of royal peace, which imposes public justice on any private initiative of war or vengeance.²²

Maravall demonstrates that through the regulations of these Leon parliaments and those of many town *fueros* [charters of rights] that some researchers – the Englishman Webster, the Germans Brunner von Keller and Wholhaupter, or the Spaniard Riaza – have been able to mark out the decisive Spanish antecedents in the modern development of individual rights.

²¹ *Ibid.*, p. 50.

²² *Ibid.*, pp. 51–52.

In his work *El concepto de monarquía en la Edad Media española*,²³ Maravall analyses the term 'Monarchy' in Spain, specifically its content and use over time, showing that St Isidore traces it back to the Visigothic king Suintila in the seventh century. At that point, the word Monarchy acquires, for the first time in Spain, the sense of dominion over a large political space conceived as a totality. In any case, Maravall notes, 'monarchy' was rarely used in the High Middle Ages. In Spain, the first mention of the word with reference essentially to a territorial unity formed by the combination of several parts whose government is united in a single person can be found in a certificate of Alfonso the Battler from 1110.

Maravall notes that the word Monarchy ends up being used

to designate the form of a political organisation headed by a king who is singularly strong and uncontested in his power, provided those qualities prevail throughout the whole space covered by his jurisdiction and that the space is deemed a substantial historical-geographical or geographical-political entity and is beginning to consolidate in the minds of contemporary peoples.

However, there are occasions when,

due to reading and commentary on Aristotle's *Politics*, increasingly widespread from the time of the philosopher's first reception, the concept of 'monarchy' tends to be reduced in the fourteenth and fifteenth centuries to one form of government among others, without reference to any relevant sphere, but to the jurisdiction of any republic with its own prince.²⁴

In his analysis of the nature of royal power, Maravall states that the origin and divine character of that power is asserted in Castile in the second half of the thirteenth century, before the idea appears among the French legal experts around Philip the Fair. The *Libro de los Cien Capítulos* states: 'The king is God's seneschal, who has his time and power on earth.' And Alfonso X the Wise declares, in the *Fuero Real*, the first of his important legal works (completed in 1255), that 'kings reign through him [Jesus Christ] and have their name from him, who wanted and ordered that the rights of kings be preserved'. King Alfonso maintains, then, that kings receive their power directly from God, without the intervention of either Pope or Emperor.²⁵

²³ 'El concepto de monarquía en la Edad Media española' (1954), in *Estudios de Historia del Pensamiento Español, I. Edad Media*. Edc. CEPC, 1999, pp. 57–77.

²⁴ *Ibid.*, pp. 69 and 71.

²⁵ 'Del régimen feudal al régimen corporativo en el pensamiento de Alfonso X' (1965), in *Estudios de Historia del Pensamiento Español, I. Edad Media*. Edc. CEPC, 1999, p. 101.

In any case, the royal authority of the Wise King emerges under the Romanist notion of 'potestas publica'. The legislative function becomes a royal attribute. Maravall reminds us that, in the minds of thirteenth- and fourteenth-century Spanish rulers and jurists, written or positive law predominate – that is, a human law created by the supreme power, described by Maravall as 'the king and the new law'. This phenomenon connects with the social and political changes in the corporate and pre-bourgeois society that confronted traditional feudal society. 'A customary right,' he writes, 'implies a static society that does not propose to transform itself, whereas a legal right implies a mobile society, with the possibility of reform.' Indeed, a century after the reign of Alfonso the Wise, the urban bourgeoisie, whose representation was approaching its peak growth period around that time – the reign of John I – demanded in the Guadalajara Cortes of 1390 that new laws be made, because human nature 'errs in ever new ways, which is why the laws of the past could not foresee the things that were to come'.²⁶

In the corporate regime of the late medieval kingdoms, the legal factor was decisive in enabling them to acquire the status of 'universitas' that every one of them assumes, as Maravall shows: 'The law is the instrument for reducing to unity the multitude of those who live under its rule. That unity is not of a physical or external nature, but results from an internal principle of life, which is justice. The kingdom thus appears as 'communitas' or 'communio'. The kingdom is the most capacious and perfect community of life that can be formed.' From the thirteenth century onwards, that corporate conception developed considerably. The view of the kingdom as the king's body (Maravall is referring to Kantorowicz's formulation) is normal in the Spanish sources, as in the example of the *Libro de los cien capítulos*, where it says: 'The head of the kingdom is the king,' adding: 'Know ye that the king and his kyngdome are two people and as one thing.'²⁷

In analysing Alfonso the Wise's first *Partida* (II, 2nd), Maravall highlights a revealing passage: man, it says, is obliged by nature to praise and to serve God, his parents and 'his land, which in Latin they call patria.' From this text, it can be inferred that we are dealing with the baptismal certificate of a new form of political life: 'It is probably the first time in the whole of Europe

²⁶ *Ibid.*, pp. 104, 105, 108 y 111.

²⁷ *Ibid.*, pp. 115–116.

that the word *patria* appears in a Romance language, even though it is referring to Latin lexis.²⁸

Maravall examines a major socio-political phenomenon in the thirteenth century, what in his opinion could be called ‘the transition from the *position of vassal* to the *position of subject*, without the latter cancelling out the former, but rather being superimposed over it, to end up acquiring a much greater force’.

To be recognised a subject, it was not necessary to make a more or less willingly accepted declaration, as with the swearing of oaths. That relationship of subject to the prince is acquired through belonging to his land and through participation in the community that is established there. However, as this belonging to the group is natural, the relationship that emerges from it is called ‘nature’. Both the lord as the head of the body politic and his subjects as members of that body are seen as ‘natural’. Of course there can – and in fact do – continue to be lords and vassals on a feudal basis, but the most important thing, and the bond that increasingly predominates above all others, is that of nature.²⁹

In his medieval research, he also dwells on the democratic current that arose in medieval Spain around the formula *Quod omnes tangit* [‘what concerns everyone’], giving a detailed account of its presence in both the Castilian and Aragonese-Catalan areas. This was something that did not seem surprising to Maravall ‘for a country where there was at such an early date an incorporation of state representatives summoned to legislative assemblies, some years earlier even than in England’.³⁰

In Spain the nobles lost their monopoly of arms very early, if it ever actually existed, and it is widely recognised that a democratisation of military forms lies at the origin of democratic political tendencies. Hence, the democratic meaning of the maxim *quod omnes tangit* is revealed in Alfonso X’s *Partidas* (1256–1263), precisely in the military sphere, establishing a principle of obligatory armed service that stipulated that in the event of serious sedition or invasion of the kingdom, all would rush to its defence. [...] And the same principle was applied in a parallel fashion in the political sphere. In fact, in

²⁸ *Ibid.*, p. 119. Maravall also reminds us of the well-known fact that the word ‘sovereign’ first appears in the thirteenth century. In Spain it is found in Gonzalo de Berceo and, for example, Dante uses it in Italy (‘La formación del régimen político territorial en Cataluña’, in *Estudios de Historia del Pensamiento Español*, I. *Edad Media*, op. cit., p. 147).

²⁹ *Ibid.*, p. 122.

³⁰ ‘La corriente democrática medieval en España y la fórmula “Quod omnes tangit”’ (1964), in *Estudios de Historia del Pensamiento Español*, I. *Edad Media*, op. cit., pp. 153–167.

concerning itself first with the formation of law, the *Partida* sets out how laws must be made: 'they should be made with the advice of wise, knowledgeable and loyal men without envy. For they will know what is appropriate for the rights and justice common interest of all'. But it was not just a question of wise men's advice. In stating how laws had to be amended or repealed, the king ordered 'that this be done with the best men there can be and from as many lands as possible, so that there are many in agreement', and that to repeal or abolish them 'should only be done with much advice from all the good men in the land'.³¹

An interesting evolution of this doctrine occurred, almost imperceptibly, from the moral mirrors of the thirteenth century to the political treatises or polemics of the fifteenth. It was not a question of seeking the advice of a few wise men, but of canvassing the views of many interested parties, writes Maravall, 'because all men have sufficient discernment to attend to what is in their interest and because everyone has a right to participate, to some degree, in the administration of those interests'. Further, he notes that 'such is the idea that led to the broad development of political assemblies in the late Middle Ages and the introduction into them of the popular element.' Indeed,

the fifteenth century ushers in the development of frankly democratic aspirations in the cities of the Iberian Peninsula, in which a considerable growth in the bourgeoisie boosts the social strength of the third estate and awakens their desire to increase their political strength in a corresponding manner.³²

The Idea of Reconquest

One cannot comprehend or interpret the Middle Ages in general, and most particularly in Spain, without bearing in mind the confrontation between the two great sheltering edifices of Christianity and Islam, in a tense cycle of repulsion and attraction occurring in various spheres of medieval life. Maravall dealt with this in his medieval work. He dedicates Chapter 6 of *El concepto de España en la Edad Media* to the Reconquest, analysing the situation in different sections. In the first of these, entitled 'The idea of Reconquest as a programme of our medieval history', he begins by stating:

³¹ *Ibid.*, p. 156.

³² *Ibid.*, pp. 160 and 162.

From beginning to end of the long struggle waged by the Christian kingdoms against Arab overlordship in the Iberian Peninsula for almost eight centuries, the word Spain appears closely – indeed essentially – linked to that most singular action. In this respect, Spain in the Middle Ages denotes both the area of a Reconquest and also its object or end point. It is not possible, then, to understand what Spain means to the medieval Christians without clarifying this connection between Spain and the historic enterprise unfolding there that it sets itself as a goal.³³

Maravall believes that there is probably no other country where as extraordinary an event as the Reconquest has taken place, encompassing the whole Spanish medieval period. And there is probably also no other country to which Pirenne's thesis could be applied, dating the start of the Middle Ages from the Saracen invasion, given that the peculiarity of that phase of European history depended on the economic, political and cultural situation arising from the conditions created by that invasion in the neighbouring countries of the western Mediterranean. In contrast, according to Pirenne, the condition of the Germanic peoples up until the closing off of the Mediterranean by the Saracen conquests is merely a continuation of Late Antiquity. Maravall analyses this approach as follows:

The idea is especially applicable to Spain in both respects: because perhaps none of the other western Germanic peoples so fully realised the idea of Roman continuity as the Spanish Visigoths, and because nowhere else than in Spain did the conditions of life that had lasted until then suffer such a deep disruption wrought by the advance of Islam. And those two circumstances were so specific and radically decisive that from them in turn derives all that is most characteristic of [Spain's] Middle Ages, making of the whole period a united historical undertaking, precisely from its beginning to its end.

The idea of Reconquest, in Maravall's analysis, is extremely complex. It features multiple aspects that include: an initial attitude of insurrection; a feeling of harassment; the continuity and generality of a common enemy, corresponding to an attitude that was also continuous and general among those who opposed it and giving rise to a historical-literary theme shared throughout the whole Iberian Peninsula: 'praise of kings and princes for their military action against the Saracen'.

There was radical rejection from the start of the invasion, contrary to what had happened with the Visigoths: 'the Arab is an unjust invader who cannot

³³ José Antonio Maravall, *El concepto de España en la Edad Media*, op. cit., p. 249.

achieve legitimate possession of dominion over Spain, as a consequence of which a struggle has arisen which, though barely begun, it is declared must continue until the intruders are expelled – ‘dum predestinatio usque divina dehinc eos expelli crudeliter jubeat’, the ‘Crónica Albeldense’ tells us from its early date’ writes Maravall. And in that perspective,

the political aspect of the Reconquest finds expression, always directed at the goal of recovering political rule of the Iberian Peninsula, by war or any other means as circumstances allow. Recovery, re-establishment, restoration: these are the words we have to employ – as given to us by the very documents of the age – to characterise the deeds of our medieval principalities. These do not just translate into military conquering activity, but more properly into the development of a political – and of course also therefore military – undertaking of Reconquest.³⁴

As for the forms assumed by the Reconquest undertaking, that ultimate purpose does not imply the denial or ignorance, Maravall points out, ‘of the great many peaceful relationships – economic, artistic, scientific, legal and even military – that there are between Christians and Moors. That fundamental hostility, kept alive by the Reconquest, does not refer to personal relationships.’

The duty of Reconquest obliges opposition to the Saracen as holder of dominion over the peninsular lands that were once Christian and must be so again. As for the dominion recovered by the Christians, the Saracen can not only follow but even form part of the community and become a source honour to it. Bishop Gil de Zamora, in writing his comprehensive exposition of the merits of Spain, does not omit those due to the Arabs, such as must be acknowledged in the illustrious Averroes.³⁵

Reconquest activity imparts a peculiarly dynamic character to Spanish medieval history, ‘a singular character of History on the march, advancing territorially, so that the phases during which this progression stops are no more than incidental halts, however lamented at the time itself’, and this, Maravall claims, ‘is peculiar and exclusive’ to Spanish history.³⁶ Regarding the legal and political forms that derived from the idea of Reconquest, Maravall highlights the doctrine by virtue of which present jurisdictions or institutions are recognised as heirs to assets, rights, and

³⁴ *Ibid.*, p. 252.

³⁵ *Ibid.*, pp. 286 and 271.

³⁶ *Ibid.*, pp. 272–273.

functions etc. that correspond to others from pre-Islamic times. These will have to be reintegrated once the status quo ante is re-established. In this sense, there was a feeling of continuity, a constant aspect of restoration, in the process.

Churches, villas, fortresses are restored. The Reconquest is not an *ex-nihilo* creation, and nor is it even the creation of something new. It is a restoration, and in the total unity of its undertaking a restoration of Spain.³⁷

At the same time, the Reconquest spreads over the Iberian Peninsula forms of life and common axiological criteria derived from the united struggle against the Saracens. It gave rise to specific forms of military profession derived from the martial nature of the struggle against the Moors – hence the Almogavar troops in the Catalan-Aragonese theatre, or the group of ‘gol-fines’ in Castile, as referred to in the ‘Chronicle of Alfonso X’.³⁸

The actions and atmosphere of the Reconquest also influenced the very concept and estimation of kingship. Thus, the figure of the king is often praised for his strength, and his military successes against the Saracens evoked: ‘In making a judgment on every king and having to tell how they fought against the Mohammedans, how they reconquered and populated the land, constructed churches, buildings, bridges etc., the *Chronicles* ends up giving a much more expansive image of royal office than está mal traducido; el texto en español dice: ‘[...] que la de decir el derecho.’³⁹ It should be remarked that royal superiority is expressed in Spain, on occasions, in imperial terms. As Maravall explains:

In the conditions imposed by the Reconquest, of plural and mutable Hispanic kingdoms, there was a certain relativization of the kingly title, which was not incompatible with the maintenance of his qualities [...] within the system of Hispanic kingdoms. Hence the tendency to construct as a *rex regum* or *rex magnus* or *imperator*, the figure of the superior king, in which a Carolingian influence combines with another, Oriental one (sometimes the form ‘basileus’ is used). This imperial superiority can refer to what is exercised or aspired to exercise over the other ‘reges vel principes Hispaniae’, as essentially happened in the cases of Alfonso VI and Alfonso VII of Leon and Castile, and Alfonso I of Aragon.⁴⁰

³⁷ *Ibid.*, p. 279.

³⁸ *Ibid.*, p. 492.

³⁹ ‘El pensamiento político de la Alta Edad Media’, *op. cit.*, p. 45.

⁴⁰ *Ibid.*, p. 49.

In theory, royal power as formulated in the Middle Ages by Pedro Albert, conceives of war – or at least, a certain category of war – as a public undertaking:

At the margin of the vassalage relationships of feudal law, the war against the Saracens, according to Albert, is only incumbent on higher kings – that is, kings such as those of Aragon, Castile, France or the like. And to that end the king can command not only those who are obliged to him through vassalage, but also all those who through belonging to the kingdom – which therefore appears as a community – are obliged to the king for reasons of nature [...] Albert thus arrives at the formulation of a general military duty, founded in the common duty to defend the land, a principle that is also found in Alfonso X⁴¹

For Maravall, the epitome of the Reconquest would be ‘Spain as the objective of a historical undertaking’. As the Reconquest progresses in time and space, he writes, ‘the final aim of the action becomes more clearly and universally acknowledged. That aim is defined with a single word: Hispania’. And one observation, he writes, proves this assertion:

the extraordinary fact that each and every one of the Spanish principalities – Asturias and Leon, Castile, Navarre, Aragon, Catalonia, Portugal in its day – try unstintingly, while circumstances allow and, in any case, until much later than is normally thought, to extend their limits over a land that, if they seek to conquer it, it is because it is considered to be irredeemable. This has nothing to do with just a normal desire to extend their dominions, which any prince might feel, but with what essentially characterises that action, the inherent idea of a land that must be regained.⁴²

Feudalism in Spain

Maravall applied the characteristic features of his historiographical methodology – comparative history, the importance of nuances as well as context, and the relationship between ideas and reality – to his analysis of feudalism in Spain. Apart from references in his various medieval writings, he published *El problema del feudalismo y el feudalismo en España*,⁴³ in which apart from synthesising the main characteristics of feudalism in general, he analyses some of the approaches to its Spanish manifestation as formulated by historians

⁴¹ ‘La formación del régimen político territorial en Cataluña’, *op. cit.*, p. 149.

⁴² *El concepto de España en la Edad Media*, *op. cit.*, p. 287.

⁴³ ‘El problema del feudalismo y el feudalismo en España’ (Prologue to Carl Stephenson’s book *El feudalismo medieval*, traducción española de Manuel Pérez Olea, Madrid, 1961), in *Estudios de Historia del Pensamiento Español*, I. *Edad Media*. Edic. CEPC, 1999, pp. 407–418.

such as Menéndez Pidal, Gómez Moreno, Sánchez Albornoz or García de Valdeavellano. This work discusses the predominance of one or other of the factors – military, economic and political – that shaped feudalism, with Maravall emphasising not so much ‘a predominantly military character’, than ‘a political and economic motivation, determining, in its turn, the military forms that develop in feudal Europe’. It also deals with some aspects of feudal military organisation, based on the personal dependence of vassalage, such as the military problem of cavalry, with explanatory notes on the Visigothic and Arab cavalries. Another theme is the Reconquest in Spain as a public and collective military undertaking that tended to generalise and make military obligations uniform, which helped to internalise the existence of a broader public space than that of the personal relationships derived from the feudal contract.

In his work on the political thought of the High Middle Ages, Maravall formulated the essentials of his vision of feudalism in Spain:

The fact is that in Spain, in spite of the early presence of pre-feudal institutions among the Visigoths, [...] and in spite of there being, above all from the time when French influence was at its most intense (the beginning of the eleventh century), the very institutions that typically make up what Ganshof has called feudality, there is nevertheless no feudalism, in the sense of a society whose structure is determined by feudal factors.⁴⁴

The economic conditions resulting from the Reconquest, and the preservation of a largely money economy, were responsible for the absence of a type of society that was so common in the High Middle Ages in the rest of western Europe. But Maravall points out that, in fact, a doctrinal and ideological factor would need to be added to those circumstances: the conception of kingship as a public office. As the chronicles and documentary sources attest, the political relationship is established not on the basis of the contractual tie between individuals that is vassalage, but on the common ties and objectives of the subject. With regard to this special characteristic, Maravall insists: ‘[...] in Spain the institutions that make up what we might call the legal framework of feudalism are to be found and are even quite generalised in later years, with economic and military relations organised accordingly. On the other hand, they never came to determine the structure of society nor its political power relationships’.⁴⁵

⁴⁴ ‘El pensamiento político de la Alta Edad Media’, in *Estudios de Historia del Pensamiento Español, I. Edad Media, op. cit.*, pp. 48–49.

⁴⁵ ‘El problema del feudalismo y el feudalismo en España’, *op.cit.*, p.415.

It is true that in Spain, as in the rest of Europe, there was, in the centuries spanning Late Antiquity and the High Middle Ages, an eclipse of the general, objective notion of 'regnum' and a highlighting of the figure of 'rex'. But this Iberian king appears enhanced by 'maiestas', exercising a public office, and in doing so employing a 'potestas' of the same nature and being, not the first of the proprietary lords of the land – in Dopsch's definition of the feudal king – but the ruler of a people, with their unanimous obedience and by divine right, made apparent in him by means of unction.⁴⁶

Elsewhere, Maravall notes that if in European history feudalism is understood by interpreting it as an integrative solution within the actual circumstances in which it occurred,

by the same token the plurality of Hispanic kingdoms that characterise [the] High Middle Ages was the formula for maintaining the common legacy of Hispania, in the difficulties of the situation created by the sudden annihilation of the Visigothic political structure.

Therefore, he continued,

those kingdoms do not cease to be kingdoms in the full sense of the word, and their kings, although they might actually have more power than their counterparts on the other side of the Pyrenees, are not kings with the exclusivity and higher superiority, at least in theory, of other European kings; but their kingship comes to some small degree from participation in the group – and we might even say in the society – of the 'reges vel principes Hispaniae'.⁴⁷

For the public conception of kingship to be maintained in high medieval Spain, several factors came into play which limited the process of feudalism in the Iberian Peninsula. Maravall says we need to highlight one that was undeniably effective: the making of the Reconquest myth.

[The] myth of Reconquest created a public and collective military undertaking on both sides of the Peninsula, and thus generated ways of life, ideas and feelings capable of transcending the mentality of the feudal age. That powerful idea of Reconquest, in establishing a joint endeavour in society around a war undertaking that affected everyone, and spoken with the words of the 'Second Party', tended to generalise military obligations, to make them uniform and organise them under a principle of sole and supreme authority. It

⁴⁶ *Ibid.*, p. 416.

⁴⁷ 'Un tópico medieval sobre la división de reinos (Cómo se forma un refrán)' (published in the *Revista de Archivos, Bibliotecas y Museos*, LXVII, Madrid, 1960), in *Estudios de Historia del Pensamiento Español*, I. *Edad Media*, op. cit. (pp. 79–88), p. 81.

also got people used to thinking in terms of a much larger political space – though clearly not a state – than the one in which the complex of purely personal relationships developed on the basis of the feudal contract. It is also true here that many of the facts brought about by the wars against the Saracens are formalised according to the practices of feudal society, but far from being a cause of feudalisation of the country, they have the opposite effect.⁴⁸

In his work *Del régimen feudal al régimen corporativo en el pensamiento de Alfonso X*, he signals that Alfonso the Wise's legal-political work corresponds to a clearly defined phase in the history of Spanish and European political thought, as it 'offers with near-unmatchable precision all the characters of that phase which we must consider the progression of the feudal regime to the corporate, territorially based one'.

All the historical elements that merge in the thirteenth century to bring about a new political form in Europe, no longer structurally determined by vassalage interest, but by the ties born of belonging in common to some of the 'corpora', as the kingdoms of the era are, are present in King Alfonso's thought and inspire his political understanding.⁴⁹

In this regard, Maravall reminds us of the three currents that can be discerned, according to Lagarde, in the history of political thought in that century, so central to the medieval period: the feudal, stagnant and disappearing; the corporate, flourishing, and which will predominate in the near future; and the statal, which begins to be discerned and which will end up absorbing the others.

Maravall writes that when Alfonso the Wise, and many others with him,

spell out duties and rights, they are referring to the territorial group in a completely different way than was typical of feudal law. The territory has come to be regarded as an essential element of the group, to the point where it represents its unity. If previously, in the feudal connection, one was 'the man of another man', now one is 'the man of a land'

That transition also occurs with regard to military service and

in contrast to the feudal system, which established a monopoly of defensive military service in the hands of the nobles, Alfonso X extends the duty of arms to all those who make up the people, in the event of rebellion or invasion threatening the community as a whole. [...] King Alfonso, while still

⁴⁸ 'El problema del feudalismo y el feudalismo en España', *op. cit.*, p. 417.

⁴⁹ 'Del régimen feudal al régimen corporativo en el pensamiento de Alfonso X' (1965), in *Estudios de Historia del Pensamiento Español, I. Edad Media*, *op. cit.* (pp. 89–136), p. 91.

preserving an echo of the tripartite division of the estates into 'those who fight', 'those who pray' and 'those who work', maintains that the defence and preservation of the kingdom behaves 'all communally'.⁵⁰

He also reflects on the influences between Romanism and feudalism. In his view, it is not enough to show that the influence of Roman law is notable in the sense of concentrating power and driving the process of developing modern political forms. Romanism also acted, in another aspect, to consolidate feudal forms, demonstrating once again that historical processes are neither univocal nor straightforward: 'Just as the hegemonic tendencies leading to the creation of large territorial kingdoms make use of feudal forms so that, when feudalism is implemented from above, it serves to centralise and concentrate power, so Romanism cannot be seen solely for the vigour it provides to monarchic power, but also for its role in consolidating feudal institutions.'

At the end of the twelfth century, the feudal institutions had not been solidly systematised to survive by themselves. Variations and transformations were frequent. But the Romanists apply to them, in the many works of feudal law they write, their new methods, and convert what had been wavering and imprecise personal relationships into authentic royal rights over the land that will acquire great stability. Strictly speaking, this influence is not active in the political sphere, though it is not without some impact there, to the extent that the pyramidal rights built on the land survived for several centuries and were only abolished – to finally establish the indivisible and absolute sense of property characteristic of Roman law – through the actions of the political movement that led to the French Revolution.⁵¹

Interpretations of feudalism in Spain have often implied that the feudal social system was fully developed in Catalonia; but Maravall, in his work *La formación del régimen político territorial en Cataluña*, suggests that, if we can speak of a greater degree of development in feudal institutions compared with other Hispanic territories, there was nevertheless a series of facts standing in the way of a full feudal regime extending there. Among these were the large number of allodial properties; the great political and economic importance, from very early on, of the city of Barcelona and a few other urban centres; the persistence of Roman law, not only in practical life, but also doctrinally, and 'no longer aligned with a traditional imperial conception – under which feudalism develops – but as a specific conception in its own right'; and finally,

⁵⁰ *Ibid.*, pp. 118 and 124.

⁵¹ 'La formación del régimen político territorial en Cataluña', *op. cit.*, p. 144.

'the existence of a common public undertaking, namely, participation in the war against the Moors, and it is widely acknowledged that the idea of a public war is also a factor working against feudal political forms'.⁵²

In this context, Maravall also analyses the concept of the 'Marca'. Thus, in his work *El concepto de España en la Edad Media*, he attempts to clarify, in his own words, 'a central misconception about the idea of *Marca*', and specifically the so-called *Marca Hispánica* [Spanish March], which has led to errors 'regarding the situation of those who centuries later would be called Catalans'.

The *Marca* is essentially a military concept which, due to its very nature, refers to an unstable, imprecise zone, without fixed organisation, lacking the establishment of secure and administratively channelled rule, a place of incursions and abrupt changes, where nobody is in control other than those who actually stay there, and even then, that is over no more than the ground beneath their feet. It is a response to the military methods of the early medieval centuries and even to the whole sense of life, constantly under threat at the margins from border aggression. It has been said many times that *marca* means border and, by extension, border region; but there has always been a tendency to think of these borders in a modern sense, as lines traced with precision, up to which the acts of an authority within extend, uniformly and in all points. [...] The Chronicles and certificates often describe the lands subject to the military system of the *marcas* as uninhabited, laid waste, which is not to say strictly deserted, but inhabited only by groups of warrior-colonists, wielding now the plough, now the sword, and governing themselves, apart from at most intermittent interventions by neighbouring princes.

Summarising the topic of 'The Spanish March and the military system of the Marches', Maravall writes:

Marca, in the singular or plural, is a term designating not, as a proper noun, a country, but some border lands in the Catalonia of the High Middle Ages; and as such, they are endowed with a specific marginal military character in relation to a principal land, which comes to be the countship of Barcelona, and around which the others tend to unify. [...] The *Marca* is the buffer zone in the tough military defence of Hispanic Barcelona, and is thus repeatedly cited as the location of the holdings granted in fief or held in allodium so that those castles might be built that made of Catalonia a highly 'castellated land', as Alfonso the Wise said, an eastern Castile.⁵³

⁵² *Ibid.*, pp. 145–146.

⁵³ *El concepto de España en la Edad Media*, *op. cit.*, p. 143 and 153–154.

Final Considerations

In assessing the intellectual legacy and historiographical contribution of José Antonio Maravall, efforts at synthesis might be divided into two areas: on the one hand, that what refers to historiographical methodology, both in its conceptualisation and its application in his own historical practice; and on the other, the selection and content of his analysis of the specific historical processes on which he focused his main research and teaching activity, among which the medieval period also stands out.

Regarding his methodological contributions and content, several outstanding elements might be noted:

The permanent embedding of his research and teaching activity, and its constant diffusion through various institutions and intellectual or academic channels.

The fact that he was a pioneer in the introduction of the history of mentalities, thought and concepts into Spanish historiography. His historiographical work cleared the ground for a good deal of the history of social and political thought in Spain, from new perspectives, with original approaches and content in the era he applied them, the first decades of the second half of the twentieth century. The linking of the history of ideas with categories taken from the social sciences, and especially political science, sociology, economics social psychology, and even lexicography and literature, striving to overcome any type of reductionism in historical interpretation. Hence, the interdisciplinarity, the urgency of his attempt to interrelate thought in his analyses with political, social, economic or military institutions, mentalities or value systems.

The linking of facts and interpretation is a constant in his methodology; the search for and deployment of primary sources and, at the same time, the awareness of references to secondary sources – the ‘state of the question’ – as much to accept as to criticise them; his skill in tracing antecedents and consequences relating to the stream of events or the current of thought under analysis.

That practice of comparative history between Spain and the countries in its cultural and political sphere in each period of the different topics he researches is also characteristic of his method and preoccupations.

This approach to the science of history means that his work has had significant influence, both in Spain and elsewhere, as the president of the University of Toulouse wrote on appointing him Doctor Honoris Causa, the reach of his work ‘has surpassed the limitations of space and time defined by the title or the stated objective’ and has entailed ‘a great recovery in the European *intelligentsia*’.

Another great Spanish historian of the twentieth century, Antonio Domínguez Ortiz, summed up Maravall's intellectual epitaph in these terms:

José Antonio Maravall, a man of diverse knowledge, humanist, sociologist, political scientist, was above all a historian to whom all we lovers of Clio have contracted an unpayable debt [...]. From the height of his great knowledge, he scanned broad horizons and sustained himself, inclusively, from varied sources. He neither adhered to nor created any school. He kept his distance from literary quarrels, defended his convictions without asperity, and with the simplicity of the truly learned he has bequeathed a body of work to which entire generations of historians will be obliged.⁵⁴

With regard to the selection and content of the topics or periods Maravall worked on, his desire to escape the limits imposed by excessive specialisation is of particular note. If the central core of his historiographical activity was the 'modern world', especially the Renaissance and Baroque periods, his historiographical interests nevertheless broadened, with incursions forwards and backwards, dealing with long periods in the history of Spain, among which his deep and versatile interest in the Middle Ages remains outstanding.

As the historian Carmen Iglesias explains, 'in the tension between a certain view of the totality and singularity of human facts lies one of the keys to the whole Maravallan oeuvre', and she recalls the words that another great historian, P. Batllori, wrote about Maravall: 'he was a specialist historian, in the political and social history of Spain, but open to every wind that blew in from time or space'.⁵⁵

Typical of Maravall are his fight against and criticism of all kinds of stereotypes and clichés regarding events or axiological features, such as the 'myth of national characters'. These were the wellspring in his work that reinforced the need to analyse the past with an awareness of context and of the different alternatives – mental, experiential, political or economic – available to the people of the period under study, as confirmed in the emphasis he gave to both individualities and the concept of community. And often, too, the perspective of comparative history, setting the facts and particular Spanish historical details in a European context.

⁵⁴ Antonio Domínguez Ortiz, 'Picaresca y marginación social en la obra de Maravall', in *Cuadernos Hispanoamericanos*, 477/78, 1990.

⁵⁵ Carmen Iglesias, 'Prólogo' a *Escritos de Historia Militar de José Antonio Maravall*. (Carmen Iglesias and Alejandro Diz, editors and introductory studies), *op. cit.*, p. 16.

We also find those vectors of his historiographical task in his medieval writings.

In this regard, the following words written by Maravall about the Middle Ages serve us well:

[...] the historian cannot take the case of Spain as the manifestation of a uniqueness or particularism that cannot be understood other than as a radical and original discrepancy as regards the European models. It begins to be even more dubious, in the current state of all theories of knowledge, that the historian should make use of fixed and omnivalent models, but what is above all in our interest to acknowledge is that the image of our history stands apart from that of any other country in the whole of Europe, as does that of every one of them with regard to the others. There is not a uniform, exemplary Middle Ages whose paradigm can be imposed on everyone and which can be considered a case apart and different from the rest of what it offers its own forms to.

The Spanish Middle Ages is an aspect of the medieval culture of Europe and a nuance of that culture.⁵⁶

We can, then, ask the question: was Maravall a medieval historian? Because of his desire not to fall into excessive specialisation, and due to the time sequence of his focus on the ‘modern world’, he cannot easily be described as a medievalist *sensu stricto*. However, because the interest, depth and versatility of his medieval studies – the most outstanding of which have been indicated in the previous section of this article, and which are given in full in the following bibliographic section – and bearing in mind the already canonical text in Spanish medieval historiography that is *El concepto de España en la Edad Media*, José Antonio Maravall clearly deserves his place among the great scholarly historians of the Middle Ages in Spain.

Chronology of Key Events

1911	José Antonio Maravall Casesnoves is born in Játiva (Valencia), on 12 June.
1928–1931	He completes his studies in Law at the University of Madrid.
1933	Joins the Cuerpo Técnico-Administrativo de Instrucción Pública y Bellas Artes
1941	Marries law graduate María Teresa Herrero

⁵⁶ ‘El problema del feudalismo y el feudalismo en España’, *op. cit.* p. 418.

- 1944 Receives his doctorate in Law. His doctoral thesis, *Teoría del Estado en España en el siglo XVII*, is published in that same year.
- 1946 Collaborator and, later, member of the Instituto de Estudios Políticos
- 1946–1949 Chair of Constitutional Law and Social Theory, in the Faculty of Law.
- 1949–1954 Director of the Colegio de España in the University of Paris
- 1955 Chair of ‘History of Political and Social Thought in Spain’, in the Faculty of Political and Economic Science at the University of Madrid
- 1961 Elected an academician of the Real Academia de la Historia
- 1964 Editor of the journal *Cuadernos Hispanoamericanos* Prize awarded by the Association of European Writers for his book *El mundo social de ‘La Celestina’*
- 1969–1971 Associate Professor at the University of Paris-Sorbonne
- 1969–1974 President of the Asociación Española de Ciencias Históricas
- 1978–1980 Visiting Professor and consultant at the University of Minnesota
- 1978 Made Doctor Honoris Causa by the University of Toulouse
- 1981 Appointed Chair, following nomination by that University in the national level competition for the Hill Professorship.
- 1986 Made Doctor Honoris Causa by the University of Bordeaux
- 1986. Dies in Madrid on 19 December
- 1987 Posthumously awarded the National Essay Prize for his book *La literatura picaresca desde la historia social*.

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6. LUIS SUÁREZ FERNÁNDEZ (1925–): A CONTEMPORARY MASTER OF SPANISH MEDIEVALISM

César OLIVERA SERRANO

This essay focuses on one of the masters of Spanish Medievalism in the second half of the twentieth century, a man who still possesses enough intellectual stamina – despite his advanced age – to publish books of historical essays and opinion articles in the daily press. He has profoundly influenced the academic world in several complementary ways. To discuss his contribution, I will begin with a biographical introduction, discuss his academic formation and work, and then move on to his most important publications in the field of historical research, referring to the central topics he has worked on and to the scholars who have become his disciples.

Luis Suárez is, above all, a medievalist although throughout his long academic life he has dealt with a wide-ranging spectrum of historical issues. This thematic variety is due, in part, to the general academic training university students of his generation received. However, in his case, he was personally determined to expand and circulate that knowledge. With his vast cultural grounding and experience, he has conveyed a very personal vision of the role and significance of the Middle Ages, particularly of Spanish Medievalism, within the framework of western civilization. Because of this, he is often compared to other renowned medievalists, who are remembered by their disciples for their specialization in specific times and other subject matters or for their teaching skills. In Suárez's case, these attributes are complemented by an erudition in topics that were not generally studied by his colleagues, such as the history of contemporary thought or the history of cinema, which have enabled him to offer very innovative perspectives on the ways we make history.

Further, Luis Suárez is very well-known in Spain for his political ideas and his opinions about Franco's regime, about which he has published a large collection of documents extracted from the general's private archives. He has also published some analytical essays on the historical implications of the political regime in Spain between 1936 and 1975. It goes without

saying that these opinions have given rise to very severe criticism. Amongst his most polemic writings, a text about Franco published in the *Spanish Biographical Dictionary* of the Royal Academy of History stands out, as it recently led to considerable political fuss. I will not discuss this here, as it is not directly related to his work as a medievalist. In this context, he was also criticised because of his membership in Opus Dei, as though there was a direct relationship between the Franco regime and Catholicism. Indeed, independently of his political opinions, it is clear that his Christian vision of man and history become an essential part of his intellectual engagement with the Middle Ages.

Suárez's life and intellectual trajectory may be gleaned from his publications and also, importantly, from the memories that his disciples, myself included, have of him. Ana Zabalza published an interview with him in 1999 that is also an invaluable record, as he speaks in detail about his concerns and experiences as a historian.¹ The remembrance that Suárez devotes to his teachers and friends allows us to understand the scientific context of Spain in the second half of the twentieth century.

Biographical Outline & Professional Background

Luis Suárez was born on the June 24 1925, in Gijón (Asturias) to a middle class family with a left-wing political ideology, especially on his father's side. Suárez himself has referred to the selection of books that his father made him read in his childhood and adolescence, to awaken in him a love for reason and faith in scientific and material progress.

He went to elementary school in his hometown and subsequently attended high school in the Jovellanos College. The political atmosphere in Asturias at that time was very complex. In October 1934 a violent socialist revolution broke out, which was crushed by the government, and two years later, in July 1936, the Spanish Civil War began, eventually ending in April 1939 with the victory of the 'Nacionales' led by General Franco. One outcome of those difficult years was that Suárez developed a special interest in the history of ideas, in an attempt to understand what had led his country to such a tragic confrontation. In many of his works, he was to devote special attention to the meaning and significance of the concepts and ideals that

¹ Ana Zabalza, 'Conversación en Madrid con Luis Suárez Fernández', *Anuario de Historia de la Iglesia*, 8 (1999), p. 323–336.

govern the course of events in each historical period. Suárez always insisted that every historian is 'the son of his time' and, for that reason, his questions about the past have very much to do with his present.

When the war ended, Suárez began studying Philosophy and Arts at the University of Oviedo. In those days, Spanish universities did not offer the degree of specialization they do today, so in the first two years of university life he studied general humanities courses, such as History, Geography, Literature, Philosophy, and Latin. Specialization began only in the third year. University professorships were rather general too, focusing on the History of Spain or World History.²

At the University of Oviedo he met his first important teacher, Juan Uría Rúa (1891–1971),³ with whom he developed a long-lasting cordial relationship. Uría had been trained in Madrid at the beginning of the twentieth century under the guidance of two brilliant academics in Spanish Medievalism of the time, Antonio Ballesteros Beretta (1880–1949)⁴ and Claudio Sánchez Albornoz (1893–1984).⁵ Ballesteros taught several generations of historians in the field of 'erudite history' and Sánchez Albornoz defined the bases of Spanish Medievalism from the Centre of Historical Studies of Madrid until the Civil War. Uría made use of methods and topics from his teachers, applying them to the study of his region (Asturias) and focused on medieval pilgrimages to Santiago de Compostela and the kingdom of Asturias in the High Middle Ages. Medievalist studies at the University of Oviedo developed in the early 1950s with the impetus provided by Uría.

However, Suárez needed to find another university to carry on with his studies of history and had to leave Oviedo; he decided to move to the University of Valladolid. Between 1940 and 1945 he studied for a degree

² When the Civil War ended, Spanish universities resumed the guidelines of the prior times; Miguel Ángel Ladero Quesada, 'La primera madurez de los estudios históricos en España. 1900–1936', *En la España Medieval*, 35 (2012), pp. 413–434.

³ Juan Ignacio Ruíz de la Peña, 'Semblanza de un maestro', in Juan Uría Rúa, *Los vaqueiros de alzada y otros estudios (De caza y etnografía)* (Oviedo: Biblioteca Popular Asturiana, 1976), pp. xiii–xlv; Ignacio Peiró Martín and Gonzalo Pasamar Alzuria, *Diccionario Akal de historiadores españoles contemporáneos* (Madrid: Akal, 2002), pp. 646–647; *Homenaje a Juan Uría Rúa* (Oviedo: Universidad de Oviedo, 1999).

⁴ *Miscelánea Americanista. Homenaje a D. Antonio Ballesteros Beretta (1880–1949)* (Madrid: CSIC, 1952), 3 vols.

⁵ *Homenaje al profesor Claudio Sánchez-Albornoz* (Buenos Aires: Universidad de Buenos Aires, 1964). María del Carmen Carlé, Hilda Grassotti and Germán Orduna (eds), *Estudios en homenaje a don Claudio Sánchez-Albornoz en sus 90 años. Anexos de Cuadernos de Historia de España*, Buenos Aires, 1983–1986, 4 vols.

in Philosophy and Arts, becoming assistant lecturer there immediately after graduation. His professional relationship with the University of Valladolid lasted for about 30 years, until 1973 when he left to join the Autonomous University of Madrid.

He did his doctoral studies under the supervision of a young academic, Joaquín Pérez Villanueva (1910–1994), who specialised in research on sixteenth- and seventeenth-century Spain, and who, years later, became famous for his work on the time of King Philip II and the Spanish Inquisition.⁶ Suárez admits that this teacher became one of the main pillars of his academic training, above all because of the interest Pérez awoke in him in Spanish culture and its propagation throughout the world. The issue of the significance of the Spanish contribution towards Western culture was in vogue in the 1940s. This phenomenon was partly due to the intellectual dynamics of the Civil War itself but also to the new regime's determination to establish its *raison d'être*.⁷

In 1946, Suárez obtained a PhD from the University of Madrid with a thesis entitled *España frente a Richelieu* ('Spain against Richelieu'). Everything seemed to indicate that his future as a scholar would be geared towards the Spanish Golden Age. Yet that did not happen. In the interview with Zabalza, he explained that he soon decided to focus on the Late Middle Ages, beginning with the fourteenth century, for two reasons. Firstly and foremost, because he wanted to search for the origins of that *Golden Age* of Spanish culture that went into decline in the last few years of the seventeenth century. He sensed that the roots were to be found in events of the late fourteenth century, when the so-called Trastámara dynasty was established in Castile. As that was a rather unknown world, he believed that venturing into it would yield promising results. The second reason was based on the need to find unpublished documents to support his research. He found those documents in the General Archives of Simancas, located a few kilometres away from Valladolid, where records of the Spanish monarchy had been stored since the reign of Philip II. Although the archivists at Simancas claimed they had no medieval documents, Suárez discovered numerous texts that had been misclassified or filed incorrectly in some sections of the archive, which had not

⁶ Pablo Fernández Albadalejo, José Martínez Millán and Virgilio Pinto Crespo (eds), *Política, religión e Inquisición. Homenaje a Joaquín Pérez Villanueva* (Madrid: Universidad Autónoma de Madrid, 1996).

⁷ Gonzalo Pasamar Alzuria, *Historiografía e ideología en la postguerra española. La ruptura de la tradición liberal* (Zaragoza: Prensas Universitarias de Zaragoza, 1991).

been studied sufficiently – if at all. These included information that could be traced back to the days of the Catholic Monarchs (Queen Isabella of Castile & King Ferdinand of Aragón, 1474–1516) and to the previous reigns of the fifteenth century, and even to the final years of the fourteenth century, particularly as regards relations between Castile and Portugal. Suárez's academic position as a Medievalist rested on these valuable documents and his methodology.

In the years of his early research, the influence of a third master was decisive: Antonio de la Torre y del Cerro (1878–1966),⁸ professor in History at the University of Madrid during the post-war period, after having held the same position in Valencia and Barcelona. Suárez's extensive collaboration with Antonio de la Torre was very fruitful, culminating in the publication of a substantial edition of texts on the reign of the Catholic Monarchs. Suárez was thereby eventually acknowledged as one of the greatest specialists on that time period. Antonio de la Torre also put him in touch with the High Council of Scientific Research (CSIC), a state institution established to foster the development of scientific research in Spain in the post-war years.

Other colleagues and friends also shaped his development as a historian. Among of them was Florentino Pérez Embid (1918–1974),⁹ professor in History of America at the University of Seville, who devised the bases of the study of navigation in the Atlantic before and after the discovery of America. From working with him, Suárez learned to describe and explain the progress of the Castilian Atlantic trade in the fifteenth century. In Valladolid he also became acquainted with a senior professor, Pedro Aguado Bleye (1884–1854), whose textbooks on the history of Spain had made him a minor celebrity. Suárez admired Aguado's careful thoroughness in the writing of these books for secondary school and university students. He also frequently met with Ramón Menéndez Pidal (1869–1968),¹⁰ the most distinguished scholar of literature of the Spanish Middle Ages, in Madrid. Menéndez Pidal eventually entrusted him with the task of writing three volumes of the monumental *History of Spain* for the Espasa Calpe publishing house, a task that has only recently been concluded. Another acquaintance of his was Ramón Carande (1887–1986), who influenced him in his approaches and thoughts

⁸ Cristina Jular López-Alfaro, 'Antonio de la Torre y del Cerro (1878–1966)', in Ricardo Olmos, Trinidad Tortosa y Juan Pedro Bellón (eds), *Repensar la Escuela del CSIC en Roma, cien años de memoria* (Madrid: CSIC, 2010), pp. 299–302.

⁹ Peiró Martín and Pasamar Alzuria, *Diccionario Akal*, pp. 477–479.

¹⁰ Peiró Martín and Pasamar Alzuria, *Diccionario Akal*, pp. 406–408.

regarding the links that should exist between economic history and the realm of power. With Jaime Vicens Vives (1910–1969),¹¹ he shared interests and concerns about Spain in the fifteenth century, apart from some controversies, although Vicens finally focused his research on contemporary Spain.

At the University of Valladolid Luis Suárez did ‘all sorts of things.’ As he himself pointed out, at that institution, he progressively played the role of student, assistant lecturer (from 1947), professor (from 1955), secretary of the College (1962), dean of the College (1962–1964) and President (1964–1972), that is to say, the complete *cursus honorum* that a university can offer one of its members. He even married a former classmate, Josefina Bilbao, and his children were born in the city of Valladolid. Here, he reached maturity as a medievalist through the supervision of many doctoral dissertations. For that reason, there has even been talk about the existence of an *escuela vallisoletana* (a Valladolid school).

Because of his experience as President at Valladolid, he obtained a key political position: between 1972 and 1973, he was General Director of Universities.¹² It was a difficult job during an unstable period for the country in general and the university in particular as the Franco regime neared its end. At the same time he accepted the position of Director of the Spanish School of History and Archaeology in Rome, an institution associated to the CSIC, between 1972 and 1976. These top positions led him to leave Valladolid as it did not seem logical (nor was it comfortable for anyone) for a general director and ex-president to depend on his university colleagues. In 1973, he decided to move to Spain’s capital, where a new university, Universidad Autónoma de Madrid (Autonomous University of Madrid), had just opened. From then until his retirement in 1989 (or until 2003, if we take into account his position as emeritus professor) he continued working as professor of Medieval History at the Faculty of Philosophy and Arts. The Valladolid School of Medievalists somehow continued in the Campus of Cantoblanco in Madrid.

¹¹ Miguel Ágel Marín Gelabert, *A través de la muralla. Jaume Vicens Vives y la modernización del discurso histórico* (Zaragoza: Vicens Vives, 2010). *El nacimiento y construcción del Estado Moderno: Homenaje a Jaume Vicens Vives* (Valencia: Universidad de Valencia), 2012, 2 vols.

¹² Under his mandate, the positions of Assistant Lecturers & Adjunct Faculty were created, thereby solving the academic time-table problem that existed. He also spearheaded the establishment of the Universidad Nacional de Educación a Distancia (UNED); Vicente A. Álvarez Palenzuela, ‘Suárez Fernández, Luis’, in *Diccionario Biográfico Español* (Madrid: Real Academia de la Historia, 2013), XLVII, pp. 370–373.

Suárez has received numerous awards and distinctions throughout his career,¹³ although the most notable one from an academic point of view was the invitation, in 1993, to join the Spanish Royal Academy of History.¹⁴ He has also been decorated with awards for some of his books and for his professional record of accomplishment.¹⁵

Research: The Crown of Castile in the Fourteenth and Fifteenth Centuries

Suárez began publishing his research in the early 1950s and, until the late 1960s, several patterns and regular structures are evident in his writing. One perceives the imprint of his masters in the way he utilizes the so-called 'erudite method' and in his approach to some underlying historical problems, although he soon reveals very individual approaches to key issues. In some ways, he might be considered an autodidact, an independent thinker, whose personality as a historian often transcended the moulds of the training he received.

Three outstanding features of his academic personality and research strategy are notable from the very beginning: the search for and publication of unpublished sources, the development of a discourse of his own about political history, and the combination of diverse chronological parameters;

¹³ He received a Doctor Honoris causa from the University of Lisbon; Correspondent Academic from the Academy of Arts of Barcelona and Academic with Merit from the Academy of History of Portugal. Great Cross of Civil Merit, the Great Cross of Military Merit, the Order of Don Enrique Award, *o Navegador*, Great Cross of Isabella the Catholic and Great Cross of Alphonse X *the Wise*. He has been Board Member of the Spanish Association of Historical Sciences and Member of the Organizing Comité of the Congresses of History of the Crown of Aragón; Álvarez Palenzuela, 'Suárez Fernández, Luis', pp. 370–373.

¹⁴ First, he joined the Royal Academy of History as Correspondent Member on 17 May 1957, having been introduced by Mercedes Gaibrois de Ballesteros, Miguel Gómez del Campillo and Francisco Cantera Burgos. On the 23 April 1993 he was proposed as candidate for the position of Full Academic Member at the abovementioned Royal Academy of History by Miguel Batllori y Munné, Fernando Chueca Goitia and Juan Pérez de Tudela y Bueso, and was elected on the 7 May 1993. He received Medal Number 4, thereby replacing his predecessor José Gella Iturriaga, on the 23 January 1994, delivering a speech entitled 'The Spanish Monarchy and the Trastámara Revolution'.

¹⁵ He was awarded the Antonio de Nebrija Prize in 1953, by the Ministry of National Education, for his book *Castilla, el Cisma y los últimos concilios medievales* (*Castile, the Schism and the last Medieval Councils*). National Prize of History in 2001 from the Ministry of Education & Sports for the book *Isabel I, reina* (*Isabella I, Queen*).

together with the studies that focus on specific reigns (something quite typical in those days), he introduces broader perspectives that span longer time periods. As to his geographical and historical frameworks, Suárez always chooses the crown of Castile in the fourteenth and fifteenth centuries, with a clear predilection for the period of the Trastámara dynasty (1369–1504), which he considers a well-defined historical field. Within that dynasty's existence, he devotes special attention to the reign of Isabella and Ferdinand, the *Catholic Monarchs*, whom he considers as a sort of 'time-axis'. Suárez believes that their reign was, in a sense, an 'arrival point' for the Castilian Low Middle Ages and, at the same time, the starting point of the Spanish Monarchy of the Habsburgs. The chronological homogeneity of Spanish history between the fourteenth and sixteenth centuries is thus well defined in his historiographical works.

The question of sources is another matter of key importance here: Suárez thinks that, as far as knowledge is concerned, progress is not possible in the absence of an exhaustive and complete database of documents. In this regard, many colleagues from his generation, and even previous ones, agreed with him, believing that the publication of unedited documentary material was one of the most important tasks of professional historians.

Suárez found in some of the sections of the Simancas archives a few valuable sources of information on different subjects such as State, Royal Patronage, the Council of Castile, Royal Income & its administration, etc. Much of his work involved the publication of these documents, although he very seldom included critical notes about the texts he published. Above all, Suárez sought the information contained in the documents. His silence in this regard can at least be attributed to the fact that the Simancas documents are administrative papers that do not require excessive contextualization, unlike chronicles or medieval literary texts, which demand a rigorous and thorough analysis and interpretation. In the mid-1950s, Suárez received a scholarship from the CSIC that allowed him to travel to Lisbon, Rome, and Paris to expand his search for archival documents.

Within the collections of sources with brief introductions that exist, the three volumes on the bilateral relations between the Catholic Monarchs and Portugal that Suárez wrote in collaboration with Antonio de la Torre, published between 1958 and 1963, are particularly noteworthy. Also worth noting is the collection of documents on the expulsion of the Jews, published in 1964. The impulse to do this work can be traced back to 1958 with the opening of the process of canonization of Isabel la Católica (Queen Isabella of Castile) promoted by Carlos García y Goldáraz, Bishop of Valladolid

(1953–1970). Generous funding by a wealthy donor in the 1960s enabled the production of doctoral dissertations on particular aspects of the reign of the Catholic Monarchs.

When it comes to choosing an explanatory argument and a historiographical discourse, Suárez opts for an approach based on political facts. Castilian royalty thus becomes the indisputable protagonist of the historical process. However, the kings and their appointed leaders of the government appear in a long account that exceeds the chronological limits of a simple history of the reigns in question. Within that account, Suárez includes many other elements that influence political history, such as propaganda, participation of the estates in courtly circles, economic problems, social tension or ideological circumstances. In sum, his personal vision of political history is in line with his historiographical discourse.

At the end of the 1950s, Suárez published three books, apart from his work on documents. The first of these was *Navegación y comercio en el golfo de Vizcaya* (*Navigation & trade in the Bay of Biscay*), published in 1959, in which he analyses the Trastámara dynasty's policies between 1369 and 1461. For the first time, he explains the close relationship that existed between Castilian policy during the Hundred Years War and the defence of mercantile interests.¹⁶ The second important book was entitled *Relaciones entre Portugal y Castilla en la época del infante don Enrique (1393–1460)* (*Bilateral Relations between Portugal and Castile in the days of the Infante Don Enrique*), published in 1960,¹⁷ where he discusses the rivalry between Castile and Portugal arising from the battle of Aljubarrota (1385). The chronology of this study runs parallel to that of the aforementioned book and discusses the implications of the contrast between the Franco-Castilian and the Anglo-Portuguese alliances in everything concerning Atlantic navigation. The

¹⁶ His first book is entitled *Intervención de Castilla en la Guerra de los Cien Años* (*Intervention of Castile in the Hundred Years War*) (Valladolid: ESPE, 1950), in which he introduces one of his first interpretative lines. Suárez believes that the series of conflicts between France and England enabled the rise of Castile as a naval power in the Gulf of Biscay due to the Franco-Castilian alliance which had been partly studied by George Daumet towards the end of the nineteenth century.

¹⁷ Suárez admits that he wrote this book at the request of José Ibáñez Martín, the Spanish Ambassador in Lisbon at the time, who sought an active Spanish presence at the centenary of Henry the Navigator. The Portuguese academic world published that same year a documentary collection, *Monumenta Henricina*, which facilitated relations between Spanish and Portuguese universities. In later years Suárez became one of the best known personalities in that friendly academic relationship.

third book, *Castilla, el cisma y la crisis conciliar* (*Castile, the Schism and the Conciliar crisis*), published in 1960, deals with the policy goals and acts of the Castilian kings during the Western Schism (1378–1417) and the years of Conciliarism until 1440. Here, Suárez reengages the Castilian diplomatic position in Europe, although he introduces ecclesiastic aspects associated with the policy of support of the Avignon claimants to the Papacy followed by the kings of Castile. In this analysis, he privileges the role played by Castilian kings since John I (1379–1390) in presiding over (and guiding) all affairs related to the reform of the Castilian church. This honour enjoyed by Castilian kings (patronage) subsequently gave rise to one of the most solid grounds for the Catholic reform that triumphed at the Council of Trent.

The aforementioned trilogy constitutes the documentary and interpretative foundations of Suárez's perspective on the international role achieved by Castile at the end of the Middle Ages. In his opinion, the Trastámara dynasty guided the growth of the kingdom in an upward path that culminated in the dynastic union of Isabella and Ferdinand in such a way that the origins of sixteenth-century Spanish hegemony can be traced to such foundations.

Apart from providing us with a global vision on the foreign influence and policies of Castile in the fourteenth and fifteenth centuries, Suárez explains the internal political development of the territory. In 1959 he published a book entitled *Nobleza y Monarquía* (*Nobility and Monarchy*), two extended versions of which were republished in 1975 and 2003. This is probably his most well-known book, especially in the case of the second edition. The title is a direct reference to the two great protagonists of political courtly life, whose confrontations are narrated in most chronicles of that time. The plot of their complex relation is explained gradually, from the origins of the dynasty, culminating once more in the reign of the Catholic Monarchs. Within that plot, long-term problems (the development of royal and nobility power), medium-term affairs (specific problems of each reign) and particular situations and circumstances are discussed in comparison. The account contains valuable documentary details, attention towards propaganda, the balance of foreign alliances, and general tendencies of the other kingdoms in the Peninsula. The author's analysis is expanded in a far larger version in the volume of the *History of Spain* directed by Ramón Menéndez Pidal and published by Espasa-Calpe.

Suárez believed that the most noteworthy aspect of the Trastámara dynasty was the reorganization of established powers that took place in 1369, when Henry II (1369–1379) violently ascended the throne. The new king set up a two-tiered nobility: a higher one composed mostly of his

relatives, and a lower level made up of knights and noblemen without titles who were at his service.¹⁸ The vague definition of duties, responsibilities and power among the three existing levels of power (royalty, royal relatives and nobility at the king's service) led to a political instability that persisted until about 1400, when the king's relatives were eliminated from the system. From then on, the nobility at the king's service gradually became more powerful and wealthy to the extent of endangering royal authority in the mid-1450s, a situation that led to the civil wars that affected the reigns of John II (1406–1454) and particularly of Henry IV (1454–1474). Though the king's power was not in question during the dramatic struggle, contrasting ideas with regard to how that power should be exercised arose. More specifically, the nobility proposed and supported a deliberative body in which its members would have control over the central institutions. At the same time, the proliferation of lordships (earldoms) and the prevalence of knightly ideals in wide-ranging sectors of society forebode a recurrent political instability. For that reason, the triumph of Queen Isabella I and her husband, King Ferdinand, ultimately meant a political victory for monarchical authoritarianism, although it did not invalidate the levels of local power enjoyed by the nobility nor the latter's participation in existing institutions. This development, towards the end of the fifteenth century, led to a reorganization of powers and attributes between the estates and the crown that became embodied in a new model of state. However, the 'modernity' that came into being as a result of such changes did not really imply an elimination of the previous system but rather, its reform. In this way, a long Castilian historic cycle that had been born with the 'Trastámara Revolution'¹⁹ came to an end, an expression Suárez and some of his disciples use quite often. This explanation has become part of the common heritage of Castilian historiography although, logically, not everybody agrees with it. Nevertheless, his disciples and many other medievalists have positioned it as a reference point for certain partial studies that have been carried out, as we will see later on.

In the 1970s, Suárez began centring his efforts on interpretations, essays and syntheses of texts, rather than on publishing original research, though he

¹⁸ In this explanation about the reorganization of the nobility, Suárez referenced work by Salvador de Moxó, one of the most important specialists on the subject. Moxó coined the expression 'new nobility' to refer to the lineages that grew in power after 1369, in contrast to the 'old nobility' which disappeared after the reorganization.

¹⁹ This is the title of the speech he delivered when he joined the Royal Academy of History in 1993, in which he evaluates his own contributions and those of others in connection with the history of the crown of Castile.

occasionally produced studies that included previously unedited materials. This is the case of his *History of the Reign of John I of Castile*, the first volume of which appeared in 1977, although the full work of the documentary collection of the reign remained unpublished.²⁰

Interpretations, Essays and Syntheses of Works

Broadly speaking, from the 1970s onwards, Suárez's works can be classified into three groups: university textbooks, essays about new issues or subjects on which research had already been carried out in previous years, and the syntheses of works.

Suárez wrote numerous textbooks and reference volumes, aimed at a university audience, on both medieval history and antiquity. This vast chronological focus is due to the fact that his professorship in Valladolid encompassed a very broad span of time: Prehistory, Ancient History and medieval History.²¹ Suárez appreciated the challenge of having taught students about extensive, long-ranging historical periods because it allowed him to contextualize the relative importance of medieval heritage.

His historical interpretation essays, which vary in length, are perhaps Suárez's most original contribution during the 1980s and 1990s since they are addressed to many different types of readers. They were not meant particularly for professional historians but were also directed to university students and cultivated readers who wanted to engage particular historical subjects in more depth.

In some instances, his writing focused on giving broader explanations on issues he had discussed earlier, as with his book *Spanish Jews in the Middle Ages*, published in 1980, where he evaluates the problem of the coexistence between Jews and Christians throughout the Middle Ages, a subject he discusses further in 1991 in his work *The Expulsion of the Jews from Spain*. In both cases, Suárez's reflections as a historian are based on his personal experience and knowledge acquired through his previous research and his trips to Israel. Fundamentally, these texts aim to explain satisfactorily the Jews' expulsion from Spain, as Suárez admires the legacy of the Jews as much as the

²⁰ In 1982, he published a second volume which included documents from 1371–1383. The documentary material corresponding to the last few years of the reign until 1390 has not been published to date.

²¹ These works were published by the following presses: Gredos, Espasa Calpe, Rialp and EUNSA, and reprinted several times.

heritage of Queen Isabella I. The world of the Catholic Monarchs reappears once again in his book *Ferdinand the Catholic and Navarre* (1987), where he discusses the difficulties encountered during the tortuous process of incorporating the kingdom of Navarre into the crown of Castile.

However, his best-known essay, one that has been reprinted numerous times over the years, is 'Great Interpretations of History'. It appeared in 1976 although a shorter first version was published in 1967. The text developed from a series of lectures Suárez delivered at the University of Valladolid on current historiographical trends. Many students from different Faculties of History have been trained on the basis of that book, which is easy to read, although it does not include the historiographical currents and debates of the last thirty years. This rather philosophical essay illuminates the context and perspective of historians of Suárez's generation, particularly because of the attention paid to those who worked in the period between the wars.

Suárez does not lean towards or settle for any specific school of thought but points out the different virtues and errors, which, in his opinion, exist and should be taken into account by historians who want to take a realistic approach toward diverse issues in their writing. In a way, the essay might be considered an intellectual self-portrait of Suárez himself, as he draws conclusions about his own academic position in the face of a wide-ranging spectrum of possibilities suggested by contemporary historiography. One of the threads that runs through the book is a reflection on the way in which a group or an individual's historical consciousness is shaped, and how the scientific nature of a historical research work can be asserted. Another of the book's in-depth arguments revolves around the non-deterministic nature of History; Suárez thus distances himself from the materialistic philosophies that predominated in academe in his time and proposes a method based on the selection of questions addressed to the past aimed at providing solid answers to the different queries, while avoiding ideological manipulation as far as possible.

The issue of the western's world historical conscience, especially from the perspective of cultural and religious heritage, is another of the important subjects he deals with in similar essays. At the opening ceremony of the 1972 academic year, Suárez delivered a speech entitled 'Europe, a Historical Consciousness at a Crossroads', where he brought up the problem of the rejection of Europe's Christian heritage, an issue he subsequently reflected upon in other books such as, *The Christian Roots of Europe* (1985) and *Humanism & Catholic Reform* (1987), or in very recent books like *La Europa de las cinco naciones* (2011), in which he expresses his opinion about major trends in

contemporary western culture. Suárez's 1999 interview again elucidates the meaning and importance of these essays, as he explains:

[...] Our History is incorrectly divided. There is a time period to which no attention has really been paid – my thesis dealt with the end of that particular period – which spans from 1328, when Ockham confronted Pope John XXII, broke away from him, embraced some sort of 'philosophical fideism' and proposed a program of secularization of political life: until such ideas, developed to a greater or lesser extent, imposed themselves in the Peace of Westphalia in 1648. These three centuries form a unity.²²

As far as works of synthesis are concerned, the books devoted to the Catholic Monarchs are noteworthy, particularly the five volumes published by Rialp between 1989 and 1990. In them, Suárez deals with topics that had already been discussed but adds new information related to the leading role played by King Ferdinand the Catholic. In this way, he fills a sort of vacuum which existed in his previous books because in conveying his excessively Castilian vision of his works about Isabella, Suárez had left paid less attention to her husband's task and to issues related to the other rulers of the crown of Aragón.

Finally, we should make note of the biographies produced by the Ariel publishing house. Amongst them, those of Henry IV of Castile (2001) and Benedict XIII (2002) stand out because of their careful research and excellent prose. Suárez's biographies are less structured than genre configuration dictates: these texts, on prominent historical figures and their time are based on the author's methodology and more essayistic than 'biographical'.

Epilogue: the Disciples

Is it possible to talk about a school of Valladolid? Did Luis Suárez establish a school in Valladolid and Madrid? It is difficult to answer this question because we have not agreed on the exact nature of a 'historiographical school'. On the one hand, if we consider the fact that Suárez supervised several PhD dissertations, the answer is undoubtedly yes, but if one looks for similarities or continuity with the master's ideas amongst the disciples the answer is rather relative and even negative in some cases. On the other hand, it seems unlikely that Suárez himself ever intended to use his professorship to build a nucleus of permanent training or teaching by means of seminars,

²² Zabalza, 'Conversation in Madrid', p. 324.

conferences and research projects that would create a stable group. That style of work is more typical of contemporary academics. Suárez preferred a pedagogical methodology based on individual contact through personal thesis supervision, characteristic of the teachers from his generation.

Some disciples have followed more closely in Suárez's footsteps with regard to planning their dissertation research, though several of them may have shifted their focus later. In this sense, one might cautiously sense or make out a trace of a school.

Several medievalists trained in Valladolid did follow some of the new routes opened up by Suárez, learning from the broad perspectives he offered. Notable among them was Julio Valdeón Baroque, who studied the reign of Henry II and the consolidation process of the Trastámara dynasty, although he subsequently decided to turn his academic attention toward the history of social conflicts. Luis Vicente Díaz Martín took on the difficult task of narratively reconstructing the reign of Peter I the Cruel, a task to which he devoted many years of his life. Emilio Mitre Fernández chose the reign of Henry III for his dissertation topic. María Isabel del Val Valdivieso studied the ascent of Isabella I, focusing on the period when she was Princess of Asturias. César González Mínguez specialized in the reign of Ferdinand IV, thereby shifting from the time period chosen by his other colleagues. Vicente Ángel Álvarez Palenzuela expanded a research focus geared towards the time of the Western Schism. One finds, in the work of all of these scholars, traces of the paths that Suárez had opened for his students and colleagues. Other examples in Valladolid prove that Suárez impose dissertation topics on his graduate students but left ample room for them to decide which area they would write about. José Ángel García de Cortázar focused initially on the territory of Biscay in the fifteenth century, although later on he became famous for his studies on settlement and peopling between the Cantabrian Sea and the river Duero in the High Middle Ages. Miguel Ángel Ladero Quesada, who began working as an archivist at Simancas, to study the campaign of Granada for his doctoral thesis, although subsequently he decided to work on the world of Castilian inland revenue and taxation. María Luisa Bueno Domínguez did her research on monastic studies (the monastery of Moreruela).

His students from the Autonomous University of Madrid followed rather similar paths; theses focusing on reigns or political situations were frequent in the capital too. Carlos Ayala studied the reign of Alphonse X, María Dolores Carmen Morales Muñiz carried out a very thorough study on Don Alphonse, the half-brother of Isabella I, who revolted against Henry IV. Isabel Pastor Bodmer meticulously analysed the fall of Álvaro de Luna, the

favourite of John II of Castile. Other disciple devoted their research work to more institutional aspects. Rogelio Pérez Bustamante wrote a thesis on Castilian territorial administration, while César Olivera concentrated on the Courts of Castile in the fifteenth century. Yolanda Guerrero Navarrete took on the world of Castilian cities in the Low Middle Ages and their systems of power, focusing on Burgos in the days of Henry IV, and José María Sánchez Benito did a similar study on Cuenca. As to biographies, a genre Suárez highly appreciated, Francisco Javier Villalba did a thesis about Cardinal Mendoza, counsellor of the Catholic Monarchs.

The imprint left by a master goes beyond directing the doctoral dissertation of a group of disciples. Reality is more complex, however. In the case of Luis Suárez, the essays he wrote are most noteworthy and must have had a big impact, although we cannot measure their results. One encounters the same difficulty in evaluating his contributions as a lecturer and speaker. Many believe that he possessed outstanding communication skills. If it were possible to quantify the impact of his lectures, his disciples would be countless. But, as Suárez himself admitted in the interview held in 1999, in the final analysis, a lecture is a work of synthesis.

Research, interpretation, synthesis and dissemination. These words summarize the professional vocation of one of the great masters of Spanish Contemporary Medievalism.

Chronology

1925	Born in Gijón (Asturias), June 24.
1945	He graduated with a degree in History from the Faculty of Philosophy and Arts at the University of Valladolid.
1947	June. He obtained his PhD from the University of Madrid. In October, he won, in competitive examinations, the position of assistant lecturer in Ancient and Medieval History at the University of Valladolid.
1953	'Antonio de Nebrija' Prize from the Ministry of National Education, for his book <i>Castile, the Schism and the Conciliar Crisis</i> .
1955	January. He obtained in competitive examinations the Professorship in Prehistory, Ancient and Medieval History at the University of Valladolid
1957	He was invited to be a Corresponding Member of the Royal Academy of History
1962–1964	Dean of the College of Philosophy and Arts at the University of Valladolid

1964–1972	President of the University of Valladolid
1972–1973	Director General of Universities
1972–1976	Director of the Spanish School of History and Archaeology in Rome, CSIC
1973	Obtained the Professorship in Medieval History from the Autonomous University of Madrid
1989–2003	Emeritus Lecturer at the Autonomous University of Madrid
1993	May 7. Joined the Royal Academy of History as a full member
2001	National Prize of History from the Ministry of Education, Culture & Sports, for his work <i>Isabel I, reina</i>

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7. STEPHAN KUTTNER (1907–1996): A MODERN APPROACH TO MEDIEVAL CANON LAW

Joaquín SEDANO

Biographical Notes (24 March 1907–12 August 1996)¹

Stephan Georg Kuttner was born in Bonn on 24 March 1907. Although of Jewish descent, his father, the judge Georg Kuttner, converted to Protestantism. From 1914, the family lived in Frankfurt am Main, where his father held a post as Professor of Civil Procedural Law at the recently established university there.

After finishing school, Kuttner studied law at Frankfurt, Freiburg im Breisgau and later at the Friedrich-Wilhelms-Universität in Berlin, where obtained his Diploma in Law in 1928 and in 1930 a degree in *Utriusque Iuris*, defending his thesis in criminal law. He also was an Assistant Professor in that city from 1929 to 1932. The rise of the Nazi regime in those years made it almost impossible for someone with Kuttner's origins to advance an academic career in Germany, but neither could he receive the habilitation in Zurich.²

¹ In the footnotes and in Selected Bibliography, the following abbreviations have been used: CHR = *The Catholic Historical Review*; JEH = *The Journal of Ecclesiastical History*; RHDfE = *Revue historique de Droit Français et Étranger*; SDHI = *Studia et Documenta Historiae et Iuris*; ZRG KA = *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung*.

² Following the promulgation of the 'Law for the Restoration of the Professional Civil Service' in April 1933, the doors to academic life were closing on Kuttner as a 'full Jew'. The Nuremberg racial laws of 1935 definitively shut off all possibilities. For a more detailed understanding of Kuttner's difficulties in those years, see Peter Landau, 'Nachruf auf Stephan Kuttner', *Archiv für katholisches Kirchenrecht*, 165 (1996), pp. 458–459; Ludwig Schmugge, 'Stephan Kuttner (1907–1966): The 'Pope' of Canon Law Studies, between Germany, the Vatican and the USA' (paper presented in German at the Conference: 'Places of Refuge and Personal Networks', Campo Santo Teutonico and the Vatican 1933–1955. Rome, 21–23 March 2013. The English translation is going to be published in *Bulletin of Medieval Canon*

1933 was an important year for the young researcher: in March he married Eva Sussane Illch, two weeks after they were both baptized into the Catholic Church.³ In that same year, following Hitler's appointment as Chancellor, the young couple had to emigrate to Rome. There, various contacts provided the references that led Pope Pius XI to grant Kuttner a post in the Vatican Library as a Research Associate, a position that he held until 1940.⁴ His proposal to prepare the publication of a *Corpus* of medieval glosses on Gratian's *Decretum* and on the old collections of Decretals was accepted,⁵ leading to a series of trips in 1934–1939 through several European countries in search of manuscripts, until the outbreak of war put an end to such roving.

From 1937, he successfully combined his work at the Vatican Library with the position of Associate Professor at the recently established Pontifical Institute Utriusque Iuris (now the Lateran University). However, that position could not be definitive either, given the complicated situation of foreign Jews in Italy as of late 1938, because of a series of measures against them implemented by the Fascist government.

In 1940, he received an invitation from the Catholic University of America (in Washington, DC) to work as Visiting Professor of History of Canon Law. This meant that in August of that year, the Kuttner family was able – though not without serious risk – to set sail to the United States from Por-

Law, vol. 30 [2013]). My thanks to Dr. Schmugge for allowing me to read his article before its publication.

³ Various personal details are known from an interview with Stephan's son Thomas Kuttner, stored in the Archiv Stephan Kuttner [ArchSK], at the headquarters of the 'Stephan Kuttner Institute of Medieval Canon Law' in München until 2013, when the archive was transferred to Yale University. See also Thomas Kuttner, 'Stephan Kuttner: Both German Jew and Catholic Scholar', *Journal of Law, Philosophy and Culture*, vol. 5, 1 (2010), pp. 43–65.

⁴ Kuttner had already visited Rome on a research stay in the winter of 1930/1931. There he had access to the canonical manuscripts kept in the Vatican Library, as well as to funds from the German Historical Institute (at that time the Prussian Historical Institute) in Rome. His travels to Rome continued for a summer or two. A fellow student in Professor Ulrich Stutz's seminar at the University of Berlin, Ivo Zeiger, introduced Kuttner to Robert Leiber, then secretary to Cardinal Eugenio Pacelli, who was able to appreciate Kuttner's outstanding qualities and interceded for him with the Pope to secure him the position. The library prefect, Giovanni Mercati, and vice prefect Eugenio Tisserant also had a hand in the matter. Stutz himself wrote a letter of recommendation. See Schmugge, 'The "Pope" of Canon Law Studies'.

⁵ Already by then, Kuttner's competence with the canonical sources was such that Pius XI wrote: 'fa un lavoro che nessun altro può fare. In Europa non vi è nessuno così ben preparato' (S.RR.SS., *Stati Ecclesiastici*, 1939, Pos. 576, Fasc 607, Fol.11r. HS Pacelli) [he performs a task that no-one else can do. There is no-one as well equipped for it in Europe]. See Schmugge, 'The "Pope" of Canon Law Studies'.

tugal. This new, tragically resonant, exile was beneficial for both his personal life and the scholar world. The Kuttners raised their nine children there, and made the United States their home for the rest of his life. Importantly, the development of Kuttner's academic work meant the introduction and development of the field of the history of canon law in North America, as I will explain below.

At the Catholic University of America, he developed a dizzyingly active academic career. The history of the Faculty of Canon Law and its scholarly activity is closely linked to that of Stephan Kuttner. Thus, in 1941, he opened the first issue of the journal *The Jurist* – which he created and where he served on the Editorial Board – with an important article on Gratian.⁶ In 1942, he finally received a stable position as Professor of History of Canon Law at the University. The following year, he founded the journal *Traditio. Studies in ancient and medieval history, thought and religion*, which he would co-edit until 1970. At that time, he was also the editor of the journal *Seminar*,⁷ and hosted a series of studies on ancient and medieval legal history published as an annual special issue of *The Jurist*.

The end of the war enabled Kuttner to build bridges with Europe from America,⁸ above all through the resumption of academic exchanges and the impetus given to legal-historical research into Gratian. In this regard, an influential conference was held in Bologna and Rome in 1952 entitled 'Graciano: L'uomo e l'opera'.⁹ This academic meeting resulted in a methodological renovation and gave essential organisational direction to the study of medieval canon law centred on the figure of Gratian. In this context, Kuttner was unanimously recognized as the person most suitable for the task of coordinating the research group, which included such notable academics as Gabriel Le Bras, Giuseppe Forchielli, Adam Vetulani, Alphons van Hove, Pietro Torelli, Gustavo del Vecchio, and others.¹⁰ The most visible product of the conference was the creation in 1955 of the Institute of Research and

⁶ 'The Father of the Science of Canon Law', *The Jurist*, 1 (1941), pp. 2–19.

⁷ Organ of the 'Riccobono Seminar', and the first American journal on the History of Law.

⁸ As is demonstrated by his election in 1951 as a Fellow of All Souls College in Oxford.

⁹ See *Studia Gratiana*, 1 (1953), pp. 17–29.

¹⁰ The scientific validity of this research group has been detailed by, among others Knut Wolfgang Nörr, 'Stephan Kuttner. Wissenschaft im Zeichen dreier Kulturen', in *Der Einfluß deutscher Emigranten auf die Rechtsentwicklung in den USA und in Deutschland*, ed. by Marcus Lutter, Ernst C. Stiefel and Michael H. Hoeflich (Tübingen: J. C. B. Mohr [Paul Siebeck], 1993), pp. 351–355.

Study in Medieval Canon Law¹¹ in Washington, as the body coordinating work, along with the 'Bulletin of Medieval Canon Law'.

After nearly 25 years of research and teaching activity at the Catholic University of America, Kuttner was offered in 1964 the 'T. Lawrason Riggs Chair of Catholic Studies' at Yale University, a post he held until 1970. In these years, he also received a series of appointments and awards, notable among which are: Fellow of the American Academy of Arts and Sciences (1962); of the British Academy and the Società Italiana di Storia del Diritto (1964); of the American Philosophical Society, Connecticut Academy of Arts and Sciences, Akademie der Wissenschaften of Göttingen, and the Guggenheim Fellowship Award (1965); Fellow of the Royal Historical Society (1967); Member of the Pontifical Commission for the Revision of the Code of Canon Law (1967–1983); Fellow of the Bayerische Akademie der Wissenschaften (1968); and in 1969 he received the Order 'Pour le mérite' für Wissenschaft und Künste. Following his stay in New Haven/Connecticut, he was appointed President of the Mediaeval Academy of America (1971), made a member of the Monumenta Germaniae Historica (1973) and a Fellow of the American Society for Legal History (1979).

His appointment in 1970 as director of the Berkeley School of Law 'Robbins Collection' library became a new challenge for the sixty-year-old academic. The significant amount of funding that the Robbins Foundation put at his disposal enabled Kuttner, along with the legal historian David Daube, to acquire a wealth of bibliographical resources and to transfer hundreds of manuscripts onto microfilm, to the point that the 'Robbins Collection' might be considered one of the most important libraries in the world for the study of legal history.

Intellectual Formation

Stephan Kuttner's intellectual biography has all the ingredients that characterise the lives of distinguished individuals whose contribution to universal culture has earned them a place in history. In this regard, the influence of

¹¹ From the outset, the Institute assumed a pivotal role in promoting, developing, and giving coherence to research into canon law in both Europe and America. See the information that Kuttner writes on the organisation of the Institute in *Traditio*, 11 (1955), pp. 429–439. For its origins and development, see: Andreas Hetzenecker, *Stephan Kuttner in America 1940–1964. Grundlegung der modernen historisch-kanonistischen Forschung* (Berlin: Duncker & Humblot, 2007), pp. 180–248.

the tradition is doubtless – the achievements of those preceding him, the knowledge gained by historical-legal science prior to him. Yet, Kuttner did not simply adapt to the academic and scientific situation of his field of study, but rather – to adopt a comparison with the great pioneers of other eras – ventured down unknown pathways and across virgin lands, forging, with his research, his own intellectual itinerary.

Kuttner was a man endowed with a rich artistic sensibility, reflected particularly in his interest in poetry and music, which he cultivated in his youth and to which he returned in his later years.¹² From very early on, he drank in the humanistic influences that characterized the cultural environment of the Frankfurt where he spent his youth. His legal mind traced its development from a strong connection with the ancient, understood as *Kultur der Lebenskräfte* [Culture of the Life Forces], the title of his graduation essay in the *Gymnasium* at the age of 18.¹³

Following the early death of Kuttner's father in 1916, Ernst Levy, the famous historian of Late Antiquity and of Roman law, took Stephan in as his adopted son.¹⁴ As Stephan's teacher of Roman law at the University of Freiburg, Levy focused his interest to the history of law as a research field. At that time, Levy was developing his revolutionary ideas in Roman vulgar law. Kuttner never lost touch with his first master, maintaining contact even when he was in the U.S., when they were both living as exiles from the Nazi regime.¹⁵

¹² See, among others, Alfons M. Stickler, 'Ricordo di Stephan Kuttner (1907–1996)', *Apollinaris*, 70 (1997), p. 219; Peter Linehan, 'Obituary', newspaper article from *The Independent (London, England)*, 23 August 1996.

¹³ Peter Landau, 'Nachruf auf Stephan Kuttner', p. 457. Peter Landau, a disciple of Kuttner, is pursuing a plan to write his intellectual biography. In 1999 he wrote *Stephan Kuttner's Youth and Intellectual Development*, but for now it remains unpublished.

¹⁴ See Stephan Kuttner's letter to Peter Landau (ArchSK Nr. 29901). See Hetzenecker, p. 84 Fn. 222; Peter Landau, 'Nachruf auf Stephan Kuttner', p. 458.

¹⁵ Ernst Levy was a Professor at the University of Frankfurt am Mainz from 1918 to 1922. In 1922 he moved to the University of Freiburg im Breisgau, and from 1928 taught at the University of Heidelberg. In 1936 he had to go into exile to the U.S., where he occupied, from 1937 until 1952 – the year he retired – the post of Professor of European History, Roman Law and Political Sciences at the University of Washington, Seattle. The term 'Roman Vulgar Law' (*Römisches Vulgarrechts*) was coined in 1880 by Heinrich Bruner, Professor of History of Germanic Law at the University of Berlin, to denote the law of the Roman population under Germanic government – which is to say in Italy under the Lombards and in Gaul under the Franks from the sixth century AD up to the twelfth. Levy made Roman Vulgar Law a basic idea in the law of Late Antiquity, broadening the concept to the extent that it generated lively debate for decades. His research became particularly intense during his American exile (1936–1954). See Detlef Liebs, 'Roman Vulgar Law in Late Antiquity', in *Aspects of law in*

At the University of Berlin, Kuttner had attended the seminar given by Ulrich Stutz, which introduced him to medieval canon law; he then worked as Stutz's assistant from 1929 until 1932.¹⁶ Under the tutelage of Professors Stutz and Kohlrausch, he obtained his habilitation with a thesis in medieval criminal law. Focused on oaths and perjury, this work revealed the inadequacy of existing knowledge of the medieval underpinnings of modern jurisprudence.¹⁷

Despite of studying under Stutz's guidance, Kuttner abandoned the direction of the dominant historiography in Germany¹⁸ and with a monograph published in 1935 on canonical guilt from Gratian to Gregory IX, he set off on hitherto unravelled pathways, illustrating a new understanding of works fundamental to Western culture.¹⁹ Indeed, Kuttner decided to tackle the medieval manuscripts himself in search of the scientific doctrine hidden away in the canonical literature of the twelfth- and thirteenth-century decretists.

His habilitation thesis made his first research stay in Rome possible, in the winter of 1930–1931, bringing him into contact with the canonical manuscripts of the Vatican Apostolic Library. His enforced flight to Italy made Rome his new home for several years (1933–1940). There he acquired a second European culture, in addition to German, and made contact with other exiled Germans such as Ernst H. Kantorowicz,²⁰ the Austrian Byzantine art historian Gerhart Ladner, the legal historian Guido Kisch, the

late antiquity. Dedicated to A. M. Honoré on the occasion of the sixtieth year of his teaching in Oxford, ed. by Adriaan Johan Boudewijn Sirks (Oxford: All Souls College, 2008), pp. 35–53.

¹⁶ Para Ulrich Stutz (1868–1938) see Konrad Fuchs, *Biographisch-bibliographisches Kirchenlexikon*, ed. by Friedrich Wilhelm Bautz (Hamm: Bautz, 1990–2001), XI (1996), pp. 151–152; Andrea Zanotti, *Diccionario General de Derecho Canónico*, ed. by Javier Otaduy, Antonio Viana and Joaquín Sedano (Cizur Menor: Thomson Reuters Aranzadi, 2012), VII, pp. 411–414. On the exchange of letters between the two, see see Schmugge, 'The "Pope" of Canon Law Studies'.

¹⁷ See Stephan Kuttner, *Die juristische Natur der falschen Beweisaussage. Ein Beitrag zur Geschichte und Systematik der Eidesdelikte, zugleich zur Frage einer Beschränkung der Strafbarkeit auferhebliche falsche Aussagen*, Abhandlungen des Kriminalistischen Instituts an der Universität Berlin 4,1,4, 1931.

¹⁸ Kuttner mentioned having once attended a lecture in Berlin on *Dogmengeschichte* given by Adolf von Harnack: see Robert Somerville, 'Obituary', *CHR*, 83 (1997), p. 182.

¹⁹ Stephan Kuttner, *Kanonistische Schuldlehre von Gratian bis auf die Dekretalen Gregors IX. Systematisch auf Grund der handschriftlichen Quellen dargestellt* (Città del Vaticano: Biblioteca Apostolica Vaticana, 1935). See Nörr, *Stephan Kuttner*, pp. 344–350.

²⁰ Kuttner was a good friend with Ernst Kantorowicz. According to what Thomas Kuttner told me in a letter: 'Kantorowicz was a close friend of my parents from their time in Rome 1933–1940'.

palaeographer and scholar of humanism Paul Oskar Kristeller, the Roman classicist Leonardo Olschki, and the classical philologist Richard Walzer among others. They formed a fruitful circle of friendship and intellectual exchange.²¹

Even during the war, he was able to establish contact with Alphons van Hove, a professor at the University of Leuven whose vision of history and the past as contained in his commentaries on canon law left an important mark on his methodological orientation,²² as well as the works of the Polish scholar Adam Vetulani on Gratian's *Decretum*.²³

Academic relationships with other scholars intensified, from 1940, with his move to the United States, his third and final home. His contacts and the intellectual exchange with the American academic community will be dealt with in another section of this work. But it is important to note that from 1937, when he began to combine his research with teaching duties in the History of Canon Law at the then Pontifical Institute Utriusque Iuris (now the Lateran University), his teaching constituted a fundamental facet of his life. It is from that time that we can properly date the beginning of Kuttner's academic influence, first over his students in Rome,²⁴ then with those who attended his classes at the Catholic University of America – and, from 1964, at Yale University.

By the age of thirty, Kuttner had become the leading specialist in manuscript sources on Gratian's *Decretum* and the works of the decretists and the decretalists, his mastery of the canonical sources unequalled by any other scholar.²⁵ His students, both European and American, learned from him the

²¹ See Schmugge, 'The "Pope" of Canon Law Studies'.

²² *Commentarium lovaniense in Codicem Iuris Canonici* (Mechliniae: Dessain, 1928–1939).

²³ See Nörr, *Stephan Kuttner*, p. 352.

²⁴ Among his first students during the 1937–1938 academic year at the Lateran University were the Austrian Alfons Marie Stickler (who would in time become Professor of History of Law at the Università Pontificia Salesiana, librarian at the Vatican Apostolic Library and a cardinal of the Catholic Church) and the German P. J. Kessler (shortly afterwards made Professor of Canon Law at the University of Münster): see Alfons M. Stickler, 'Ricordo di Stephan Kuttner' p. 925.

²⁵ In 1937, he published *Repertorium der Kanonistik (1140–1234)* (Città del Vaticano: Biblioteca Apostolica Vaticana a comprehensive compilation and classification of numerous materials from the first period of the science of canon law. Peter Linehan declared the *Repertorium* 'the book both of Genesis and revelation for all modern students of medieval canon law': *Proceedings of the Seventh International Congress of Medieval Canon Law, Cambridge, 23–37 July 1984* (Città del Vaticano: Biblioteca Apostolica Vaticana, 1988), Editor's Note.

tradition of 'good old German scholarship', reminiscent of the contributions of Friedrich Karl von Savigny or Theodor Mommsen in the field of Roman law. He has also been compared with early modern scholars such as Antonio Agustín and Etienne Baluze, and his work on the canonical sources exceeds that of such renowned authors as Friedrich Maassen, Paul Fournier, Emil Friedberg and Johann Friedrich von Schulte.²⁶

Stephan Kuttner and the Modern Science of Medieval Canon Law

In 1949, during a memorable conference of the Medieval Academy of America in Toronto, Kuttner surveyed the panorama of what canonical historiography had needed and lacked since the Second World War.²⁷ In no uncertain terms he pointed out that the efforts of historians of medieval canon law to understand medieval doctrines had more or less been in vain, due, specifically, to the poor condition of the formal sources. Martin Brett recently reprised the theme in his comments on the generalized state of methodological deficiency evident since 1900 in the publication of canonical collections compiled between the Bishop Burchard of Worms' *Decretum* and Gratian's *Decretum*.²⁸ Before the select Toronto audience, Kuttner proposed the restoration of this discipline through the establishment of solid textual analysis as the prerequisite of any work on medieval canonistics. The publication of texts should provide the basis on which this academic field might come of age, on par with any secular historical science.²⁹

²⁶ See *Law, Church, and Society: Essays in Honor of Stephan Kuttner*, ed. by Kenneth Pennington and Robert Somerville (Pennsylvania: University of Pennsylvania Press, 1977), p. xi; Knut Wolfgang Nörr, 'Stephan Kuttner. Persönlichkeit und wissenschaftliches Werk', ZRG KA, 68 (1982), p. v; Peter Landau, 'Nachruf auf Stephan Kuttner', p. 463.

²⁷ Stephan Kuttner, 'The Scientific Investigation of Medieval Canon Law: the need and the opportunity', *Speculum*, 24 (1949), pp. 493–501 (repr. Gratian and the Schools of Law 1140–1234, [London: Variorum Reprints, 1983], n. 1). See also Stephan Kuttner, 'The revival of Jurisprudence', in *Renaissance and renewal in the twelfth century*, ed. by Robert Louis Benson and Giles Constable (Harvard: Harvard University Press, 1982; repr. 1999), pp. 299–323.

²⁸ See Martin Brett, 'Editions, manuscripts and readers in some Pre-Gratian Collections', in *Ritual, text, and law. Studies in medieval canon law and liturgy presented to Roger E. Reynolds*, ed. by Kathleen G. Cushing and Richard F. Gyug (Aldershot; Burlington VT: Ashgate, 2004), p. 205. A progress report on textual research of the canonical sources is provided in Joaquín Sedano, 'Transmisión de los textos e investigación sobre las fuentes históricas del Derecho canónico', *Ius Canonicum*, 100 (2010), pp. 415–475. Regarding Kuttner, see especially pp. 430–435.

²⁹ His precise words were as follows: 'It may sound disappointing to hear the needs of research in canon law defined primarily in terms of what one may call juristic philology. Still,

Kuttner's challenge received very positive response. Indeed, in 1952, the eighth centenary of the composition of Gratian's *Decretum* was commemorated with a weeklong international meeting, in Rome and Bologna, of scholars in the history of canon law.³⁰ This provided the context for a panoramic survey of the existing situation and future perspectives: it was established that editions of Gratian's *Decretum* and the papal decretals did not meet contemporary scholarly requirements, and that a large part of the works of the decretists and decretalists (*summae*, *glosae*, *commenti*, *quaestiones*, etc.) remained unpublished. A promotion committee was established – formed by Kuttner, Le Bras and Forchielli – for the creation of a permanent international forum to co-ordinate these tasks. The 'Institute of Research and Study in Medieval Canon Law' (IMCL) was thus born in Washington, in 1955.³¹ This Institute converged the interests of a large part of the medievalist community, which practices this discipline from the most diverse perspectives: civil and ecclesiastical, historical and legal, philological and philosophical. Its purpose is the promotion and co-ordination of academic research into medieval canon law and, in particular, the preparation of critical editions of the works of medieval decretists and decretalists, together with a new edition of Gratian's *Decretum*.³² Quite spontaneously, Kuttner had made himself the centre and prime mover of the academic community that had formed around him.

each historical science has to go through a stage in which the critical study and editing of texts must take the first place – not as an end in itself, but as a necessary prerequisite for a valid interpretation of history-': 'The Scientific Investigation of Medieval Canon Law', p. 499. For a broader critical view of work in this field of canonical science from the last century to the present, see Stephan Kuttner, 'Die mittelalterliche Kanonistik in der Forschung der letzten hundert Jahre', ZRG KA, 69 (1983) 1–14 = Stephan Kuttner, *Studies in the History of Medieval Canon Law* (London: Ashgate Variorum, 1990), IV, pp. 1–14.

³⁰ See José Miguel Viejo-Ximénez, "In memoriam Stephan Kuttner". A propósito del "Xth International Congress of Medieval Canon Law" de 1996 en Syracuse (New York)", *Ius Ecclesiae*, 9 (1997), pp. 225 and ff.; *Idem*, 'Stephan Kuttner', *Diccionario General de Derecho Canónico*, VII, pp. 937–940.

³¹ The Institute moved to New Haven, then to Berkeley, München, and Yale, as of 2013, where it remains. In 1964, the name of the Institute was changed for practical reasons to the 'Institute of Medieval Canon Law'; in 1996 it was renamed the 'Stephan Kuttner Institute of Medieval Canon Law'.

³² The paleographic search in European archives was organised with the aim of preparing the critical edition of the *Decretum*. Among the first researchers were: Gerard Fransen, focused, along with Antonio García y García, on Portugal and Spain; Vetulani, researching the archival fonds of Poland and Russia; and Jacqueline Rambaud, in the French fonds.

The areas for special attention were organized into five sections:

1. With a view to a future critical edition of Gratian's *Decretum*, the compiling of a complete catalogue of the manuscripts with detailed analytical descriptions, following the path set by Jacqueline Rambaud and her colleagues with the French manuscripts.
2. The publication of the abbreviations of the *Decretum*, constituting an invaluable critical service as regards the text of Gratian's work.
3. As for the decretals and the *Liber Extra*, the Institute's plans centred on the decretals of Innocent III and on the sources of the *Liber Sextus*.
4. The publication of the works of the decretists, the first decretalists and authors prior to Gregory IX – *summae*, *distinctiones*, *brocarda*, *quaestiones redactae*, *summae quaestionum* and other genres – paying special attention to the *apparatus glosae* and to the *Quinque compilationes antiquae*.

The study of the canonical collections of the first millennium, especially the century before Gratian, essential for the *apparatus fontium* for the critical edition of his *Decretum* (*Burchard of Worms' Decretum*, *Collectio XII partium*, the *Polycarpus*, the *Vetus Gallica*, the *Pseudo Isidorian Forgeries*, etc.).

An annual bulletin was created to establish internal organizational rules, coordinate the scholars working on this international research, and promote the organization of international conferences.³³ The first of these was the 'Congrès de Droit Canonique Médieval', held in Leuven-Brussels in 1958, where methodological guidelines were drawn up for the publication of the works of the decretists and the first decretalists; their proceedings offer a complete panorama of the state of research at the time.³⁴ Since then, the regular meetings and the publication of their proceedings have helped enormously in communicating, coordinating and proposing shared projects.³⁵

³³ The IMCL Bulletin was initially published as an appendix to the journal *Traditio*, between 1955 and 1970 (*Traditio*, nos. 11–26). Coinciding with the Institute's move to California, it began to appear as an independent publication with the title *Bulletin of Medieval Canon Law. New Series* (Berkeley 1971–2012).

³⁴ See *Congrès de Droit Canonique Médiéval. Lovain et Bruxelles. 22–26 Juillet 1958* (Louvain: Publications Universitaires de Louvain, 1959).

³⁵ These international meetings already have a long-established tradition: Boston (August 1963), Strasbourg (September 1968), Toronto (August 1972), Salamanca (September 1976), Berkeley–California (July 1982), Cambridge (July 1984), San Diego (August 1988), Munich (July 1992), Syracuse–New York (August 1996), Catania (July–August 2000), Washington D.C. (July–August 2004), Budapest–Esztergom (August 2008) and Toronto (August 2012).

The results of this research, apart from the articles usually published first in *Traditio* and then in the *Bulletin of Medieval Canon Law*, are published in the Vatican Apostolic Library's collection *Monumenta Iuris Canonici*. The collection has three Series: A (*Corpus Glossatorum*), B (*Corpus Collectionum*) and C (*Subsidia*), the latter being where the proceedings of international conferences appear. Moreover, in 1953, under the direction of Forchielli and Stickler, the journal *Studia Gratiana* was founded.

The IMCL currently hosts, among others, the following projects: the publication of the *Bulletin of Medieval Canon Law* and *Monumenta Iuris Canonici*; cataloguing the Vatican Library's Roman and canon law manuscripts;³⁶ collections of twelfth-century decretals; the digitalization of the Walther-Holtzmann files on the decretal collections;³⁷ the internet publication of Stephan Kuttner's bibliography and academic correspondence; and the publication of a series of works (especially: Sicardo de Cremona's *Summa*, *Collectio Hibernensis*, *Summa 'Antiquitate et tempore'*, *Summa 'Et est sciendum'*, *Summa 'Inducent sancti'*, *Summae 'Ecce vicit Leo'* and *'Animal est substantia'*).

The impetus given by Kuttner and his Institute has meant that the centuries-old canonical tradition can regain its rightful place in the humanities, as a tool to understand important elements of western civilization. The identification and description of the old legal collections of the main libraries in the world has led to great advances: critical work on the sources has enabled the development of serious studies which, above and beyond ideological apriorisms, have demonstrated that not a few of the principles considered innovations of legal science in the eighteenth century have their origin in reflections on canonical texts of the classical period. These canonical studies have not closed in on themselves, but have also opened up to a concern with

³⁶ *A Catalogue of Canon and Roman Law manuscripts in the Vatican Library*, ed. by Stephan Kuttner and Reinhard Elze. Of the five volumes planned, two have already been published: Vol. 1, *Codices Vaticani latini* 541–2299 (Città del Vaticano: Biblioteca Apostolica Vaticana, 1986) and Vol. 2, *Codices Vaticani Latini* 2300–2746 (Città del Vaticano: Biblioteca Apostolica Vaticana, 1987). The provisional version of the third volume (ed. by Gero R. Dolezalek and Martin Bertram), covering the remaining *Vaticani latini* manuscripts (3137–11527), can be accessed at: <http://www.unileipzig.de/~jurarom/manuscr/VaticanCatalogue/indexvatican.html>.

³⁷ Invaluable documentation gathered by the author before his death. The *Monumenta Germaniae Historica* has taken the first steps towards publication of these *Regesta decretalium* with the assistance of the Leibniz Computation Center of the Bavarian Academy of Arts and Sciences in München; but in the meantime the records can be accessed via the IMCL web-site, by clicking on 'Projects'.

the science of *utrumque ius*, which locates canon law as one of the basic pillars on which the legal culture of old Europe and the education of the western jurists rest.

However, this disciplinary expansion, also notable in the organization of the conferences promoted by the IMCL, entails a danger: the abandonment of the projects and plans nurtured by Stephan Kuttner in the early days of the Institute.³⁸ Unfortunately, recent conferences, beginning with Syracuse in 1996, show that fewer and fewer researchers are taking up the laborious critical study of the canonical sources, a required process for any rigorous interpretation of the history.³⁹

Stephan Kuttner and the Studies of Medieval Legal History in America

As a consequence of Hitler's rise to power and the rise of racial policies, the German universities suffered serious restrictions. For instance, between 1933 and 1935 the Schools of Law lost a third of their members.⁴⁰ Jews, as well as Aryans married to Jews, were affected. A good number of them managed to flee to North America, while that was still possible. The phenomenon that Charles Rufus Morey describes as the 'backhanded gifts of Hitler to America'⁴¹ came about: a veritable avalanche of highly qualified scholars who, through various processes of integration and adaptation,⁴² enriched and

³⁸ See José Miguel Viejo-Ximénez, 'In memoriam Stephan Kuttner', pp. 233–239; *Idem*, "Gratianus Magister" y "Guarnerius Teutonicus". A propósito del "XI International Congress of Medieval Canon Law" de 2000 en Catania', *Ius Canonicum* 41 (2001), pp. 70–71.

³⁹ In the words of Kenneth Pennington, 'we filled his series, the *Monumenta Iuris Canonici*, with interpretive essays that overshadow the textual studies. Stephan always thought that interpretation should take second place to text': 'Canon Law in the Late Middle Ages: The Need and the Opportunity', in *Proceedings of the Eleventh International Congress of Medieval Canon Law. Catania, 30 July-6 August 2000*, ed. by Manlio Bellomo and Orazio Condorelli (Città del Vaticano: Biblioteca Apostolica Vaticana, 2006), p. 31.

⁴⁰ See *Der Einfluß deutscher Emigranten*, p. iii.

⁴¹ Expression coined by Charles Rufus Morey, Professor of Art and Archaeology at Princeton University and one of the founders and strongest supporters of the College Art Association of America.

⁴² This process was not easy, especially for the jurists and legal historians who, apart from the incomprehension they had to suffer, also had to adapt to a legal and academic system that was very different from the European one: see Ernst C. Stiefel, 'Die deutsche juristische Emigration in der U.S.A.', in *Festschrift für Walter Oppenhoff zum 80. Geburtstag*, ed. by Walter Jagenburg, Georg Maier-Reimer and Thomas Verhoeven (München: C. H. Beck'sche Verlagsbuchhandlung, 1985), pp. 435–438; Stephan Kuttner, 'Legal History. The Case for a

deepened American scholarship in physics, medicine, natural sciences, art, literature, history, law and other fields, at the same time that research in the German universities was set back centuries.⁴³

When Kuttner arrived in the United States, the discipline of Medieval European Legal History was more or less limited to English Legal History. Continental Law was not taught in American universities, and there was a clear separation between jurists and historians, to the point that the situation of Legal History could be described as ‘standing in tattered clothes, quite hungry, unnoticed amid the otherwise impressive grandeur’ of the magnificently equipped educational institutions in our country, ‘poverty amid plenty’.⁴⁴

Neglected Field of Studies’, CHR, 44 (1958–1959), p. 411. The impact that many of these intellectuals had on the social sciences and humanities in America contrasts with the unhappy experiences of those professionals recognised in their own country who never managed to find a place for themselves in North America. See Lewis A. Coser, *Refugee Scholars in America: Their Impact and their Experiences* (New Haven: Yale University Press, 1984), especially pp. xi–15.

⁴³ German scholars who left a profound mark on the American Law Schools were, to name but a few in addition to Stephan Kuttner, Friedrich Kessler, Heinrich Kronstein, Arthur Nussbaum, Max Rheinstein, Stefan Riesenfeld and Rudolf Schlesinger. See *Der Einfluß deutscher Emigranten*, pp. iii–v. On the influence of German Jews in the U.S., see Ernst C. Stiefel, ‘Die deutsche juristische Emigration in der U.S.A.’, pp. 433–449; for the legal science field, see Ernst C. Stiefel and Frank Mecklenburg, *Deutsche Juristen im amerikanischen Exil 1933–1950* (Tübingen: Mohr Siebeck, 1991).

⁴⁴ Guido Kisch, ‘American Research in Medieval Legal History’, *The Jurist*, 2 (1942), p. 230, quoting Robert J. White, ‘Some Opportunities of the Catholic Historian in the Reform and Progress of the Law’, CHR, 21 (1935–1936), p. 49. The embryonic state of medieval studies is readily apparent if it is borne in mind that the Medieval Academy of America was not founded until 1925, that Henry Adams (1838–1918) was the first to teach medieval history professionally in America and that Charles H. Haskins (1870–1937) is considered to be the first truly professional medieval historian. It is true that the most important writer of medieval history before Haskins was Henry Charles Lea (1825–1909), but he was a publisher rather than a professor. See Gabrielle M. Spiegel, *The Past as Text. The Theory and Practice of Medieval Historiography* (Baltimore-London: Johns Hopkins University Press, 1997), p. 62. On the formation of medieval history as a discipline and the characters involved see *Medieval Scholarship. Biographical Studies on the Formation of a Discipline. I. History*, ed. by Helen Damico and Joseph B. Zavadil (New York-London: Garland Publishing, 1995). Regarding Lea and Haskins see: Julia Pavón, ‘Henry Charles Lea’, in *Rewriting the Middle Ages in the Twentieth Century. II. National Traditions*, ed. by Jaume Aurell and Julia Pavón (Turnhout: Brepols 2009), pp. 371–396; Julia Pavón, ‘Charles H. Haskins’, in *Rewriting the Middle Ages in the Twentieth Century*, ed. by Jaume Aurell and Francisco Crosas (Turnhout: Brepols, 2005), pp. 87–106.

It should be noted that medieval studies in North America as institutional activity began only after 1870, with the institution by Henry Adams and Charles W. Eliot of 'elective courses' at Harvard University and of 'German-style graduate seminars' at John Hopkins University. The American Historical Association was founded in 1884. Until then, History had been personally cultivated by a generation of gentlemen or patrices, including Thomas Hutchinson, Charles Gayarré, Francis Parkman and Henry Charles Lea among others.⁴⁵

In the realm of case law, the training and professional activity of jurists were oriented almost exclusively towards praxis. The few scholars who combined applicable law with the history of law referred only to contemporary law, while historians paid attention only to American law. Those who focused on ancient and medieval European law could be counted on the fingers of one hand and, of course, there was no set methodology, nor critical editions, nor research into the sources, nor analysis or classification of manuscripts.⁴⁶ Moreover, as might be assumed, medieval canonistics was almost completely unheard of.⁴⁷

⁴⁵ See *The past and future of medieval studies*, ed. by John Van Engen (Notre Dame, Indiana; London: University of Notre Dame Press, 1994), pp. viii-5; John Higham, *History. Professional scholarship in America* (Baltimore: Johns Hopkins University Press, 1983), p. ix; Francis G. Gentry and Christopher Kleinhenz (eds), *Medieval Studies in North America. Past, present and future* (Kalamazoo, Michigan: Medieval Institute Publications, 1982), pp. 5-22; Peter Novick, *That Noble Drea: The 'Objectivity Question' and the American Historical Profession* (Cambridge: Cambridge University Press, 1988), pp. 361-411; John Higham with Leonard Krieger and Felix Gilbert, *History. The development of historical studies in the United States* (Englewood Cliffs, N. J.: Prentice-Hall, 1965), pp. 26-51.

⁴⁶ On the state of Legal History in America, see Hetzenecker, pp. 41-52; Guido Kisch, 'A Decade of American Research in Medieval Legal History', *Progress of Medieval and Renaissance Studies in the United States and Canada*, 17 (1942), pp. 27-34; *Idem*, 'The Study of Legal History in Europe and America - Past and Present', *Tijdschrift voor Rechtsgeschiedenis*, 19 (1951), pp. 1-24; Stephan Kuttner, 'Legal History. The Case for a Neglected Field of Studies', pp. 409-420.

⁴⁷ On the revival of historical and medievalist studies in the North American universities, see: *Medieval Studies in North America. Past, present and future*, ed. by Francis G. Gentry and Christopher Kleinhenz (Kalamazoo, Michigan: Medieval Institute Publications, 1982); *The Development of Historical Studies in the United States*, ed. by John Higham with Leonard Krieger and Felix Gilbert (Englewood Cliffs, New Jersey: Prentice-Hall, 1965), especially chapters 4 and 5 ('European History in America' and 'European and American Historiography', pp. 233-387); Spiegel, *The Past as Text*, especially the chapter 'In the Mirror's Eye: The Writing of Medieval History in North America', pp. 57-80.

Kuttner and other European émigré scholars changed the map of American legal history.⁴⁸ They brought European university educational ideals to their new institutions and introduced American scholars to the study of Roman and medieval Canon law, taking the level of research to unprecedented new levels. This revival of studies in legal history became an unexpected response to Frederic William Maitland, one of the greatest legal historians, who at the end of the nineteenth and the beginning of the twentieth centuries called from the University of Cambridge for a renewed study of medieval Canon and Roman law.⁴⁹

In the field of canon law history, Kuttner brought to America the best of the German academic tradition. Indeed, the history of canon law (*Kirchenrechtsgeschichte*) had reached its height in nineteenth-century Germany. Curiously, there were a significant number of Jews among the practitioners of this discipline: Heinrich Friedrich Jacobson (1804–1868), Emil Friedberg (1837–1910), Siegfried Brie (1838–1931), Edgar Loening (1843–1919) and Heinrich Singer (1855–1934).⁵⁰

Kuttner contributed familiarity with the manuscripts and study of the texts, backed up by the great experience he had acquired on his research trips through libraries and archives. He taught that the legal texts were not carved in stone, but that they were living texts (*textes vivantes*), that a text could not be trusted until its history and transmission had been understood, and he taught the necessary linguistic, philological and palaeographic techniques for dealing with those texts, just as Paul Oskar Kristeller was doing in the field of philosophy and studies on Renaissance humanism..⁵¹

⁴⁸ See Robert Brentano, Robert Somerville, Brian Tierney and Thomas N. Bisson, 'Stephan Kuttner. Memoirs of Fellows and Corresponding Fellows of the Medieval Academy of America', *Speculum*, 72 (1997), pp. 929–931.

⁴⁹ 'An educated Englishman may read and enjoy what Dante or Marsiglio has written. An English scholar may face Aquinas or Ockam or even the repellent Wycliff. But Baldus and Bartolus, Innocentius and Johannes Andreae, them he has not been taught to tackle, and they are not to be tackled by the untaught': Frederic William Maitland, 'Translator's Introduction', in Otto Gierke, *Political Theories of the Middle Age* (Cambridge: Cambridge University Press, 1900, repr. 1987), p. viii.

⁵⁰ Peter Landau, 'Juristen jüdischer Herkunft im Kaiserreich und in der Weimarer Republik. Dem Andenken Ernst Landsbergs', in *Deutsche Juristen jüdischer Herkunft*, ed. by Helmut Heinrichs, Harald Franzki, Klaus Schmalz and Michael Stolleis (München: C. H. Beck'sche Verlagsbuchhandlung, 1993), pp. 170–171.

⁵¹ See Kenneth Pennington, 'Stephan Kuttner', in *Der Einfluß deutscher Emigranten*, pp. 361–364.

However, the recognition and introduction of these studies in the North American universities was no easy task. Continental law was not taught in North America and it was not until 1942 that the Catholic University of America created the country's first – and for a while, only – History of Canon Law department. Moreover, North American society was at that time divided between a Catholic minority and Protestant majority. This resulted in a parallel system in research and higher education. The situation began to change mainly due to two reasons: a movement within Christianity towards interfaith dialogue, and an opening up to Europe on the part of the North American scientific community after the Second World War.⁵²

Kuttner's constancy and intensity in promoting these studies also contributed in large part to uniting the academic worlds of Catholics and Protestants. He did this primarily by creating the Institute of Medieval Canon Law in Washington in 1955 and deploying the journal *Traditio* as a vehicle for publishing research output.⁵³ Through the IMCL, thousands of medieval canon law manuscripts were put on microfilm and catalogued, and the Institute sponsored and promoted the publication of texts and studies based mainly on its holdings. With conferences, corporate publishing projects and other activities, the IMCL achieved an impressive level of international scholarly exchange that was perhaps greater than that of any other medieval institute in North America.

It is remarkable to observe how Kuttner was able, in the face of so many difficulties, to establish this discipline in the main American centres. By the mid-1950s, the prospects for researchers in the history of canon law were by no means promising, given that once they had completed their studies, they could not find any university positions for the simple reason that no such positions existed.⁵⁴ This meant that a fair number of the talented young people who benefitted from Kuttner's teaching in Washington were not inclined towards the history of canon law and set off on paths with greater prospects.⁵⁵

⁵² See Hetzenecker, pp. 414–425.

⁵³ Set up with the help of other German emigrants (Johannes Quasten and Ludwig Schopp), the journal's quality and interdisciplinarity became an invaluable tool for the introduction of European Legal History into America and made it possible for Kuttner's name to be known throughout the academic world.

⁵⁴ On the other hand, many of the students at the Catholic University of America belonged to the ecclesiastical world and, although in the future they would come to occupy high positions in the ecclesiastical hierarchy, they were not academically inclined.

⁵⁵ See Hetzenecker, pp. 396–399.

Kuttner did not lose heart and, by means of a scholarship fund within the ICML, sought to attract young researchers independently of their faith.⁵⁶ His move to Yale University in 1964 and to the University of California, Berkeley, in 1970 gave him the financial capital he needed to move forward with this project. At this point, Kuttner had already been accepted in his own right by the academic community in the United States.⁵⁷ From the early 1970s, young people graduating with a degree in Canon Law History could take up academic posts at various universities and research institutes: Stanley Chodorow, Charles Donahue Jr., Richard Helmholz, Kenneth Pennington, Robert Somerville, and Jacqueline Tarrant, among others.⁵⁸ The foundation of the IMCL in America thus led to an interesting paradox: that the country where the history of canon law was in an embryonic state became the centre for promoting its global academic activity.⁵⁹

The degree of Kuttner's involvement in implanting historical research into canon law (and law in general) in America can be appreciated from the scale of the correspondence he maintained with numerous groups of scholars. As early as the 1940s and 1950s, he was in contact with other German-speaking historians of law such as Ernst Levy, Eberhard F. Bruck, Hans Julius Wolff, Adolf Berger and Guido Kisch, as well as the historians Gerhart B. Ladner, Paul Oskar Kristeller and Ernst H. Kantorowicz.⁶⁰ These were also

⁵⁶ In 1960, he was able to access funds with which he invited young German researchers to America, among whom were Knut Wolfgang Nörr and Peter Landau.

⁵⁷ In 1956, he had been made a Fellow of the Medieval Academy of America (of which he would be president in 1971), in 1962 of the Academy of Arts and Sciences and in 1967 of the Royal Historical Society.

⁵⁸ On the Institute's increasing activities and the historical research work of those years, see Stephan Kuttner, 'Annual Report', *Traditio*, 26 (1970), pp. 427–433.

⁵⁹ In a parallel fashion, the presence of émigré historians of law and of the Church such as David Ibbetson, Hermann Kantorowicz and Walter Ullmann also revitalised the discipline in England.

⁶⁰ E. H. Kantorowicz (1895–1963): also of Jewish descent (although with a very particular intellectual temperament and cultural values, having as a young man formed part of Stefan George's ultra-nationalistic romantic circle), he moved to the University of Heidelberg to study history with Karl Hampe and Friedrich Baethgen, two noted medievalists. He had to flee Germany when he was Professor of Medieval and Modern History at the University of Frankfurt am Main. In 1939 he was taken on by the University of California in Berkeley (obtaining a stable professorial position in 1945, though this came to an end in 1950 due to his refusal to swear the oath of loyalty in the McCarthy era). From there he moved on to the Institute for Advanced Study in Princeton, where he remained to the end of his days. With his academic work, Kantorowicz gave a huge boost in America to interest in medieval history and breathed life into studies in the history of European law. His correspondence

emigrants like Kuttner, a little older than him, with their own difficulties in finding their way in the North American academic world; and who, while they were familiar with Kuttner's methods and work, were not especially influenced by this academic reorientation. Nor were Americans such as Samuel E. Thorne⁶¹ or A. Arthur Schiller, pioneers in the history of law who had mapped out their own fields.

He did have a greater degree of common interest with Gaines Post,⁶² Schafer Williams, J. and Joseph Ryan, who were of the same generation and came to participate, to a greater or lesser degree, in IMCL projects. They had independently grasped the importance of medieval canon law for historical research, but there can be no doubt that contact with Kuttner, through letters, conferences and academic exchange, heightened and enriched their engagement with canon law.⁶³

The same was true, but with even greater intensity in terms of their academic orientation, of the contact with Stephan Kuttner that renowned scholars such as John W. Baldwin, Robert L. Benson,⁶⁴ John F. Kenney, Robert Brentano, F. Donald Logan, Brian Tierney, Giles Constable, Norman P. Zacour and James A. Brundage had. They were twenty years his junior, so knew him at a formative stage when they could still be influenced methodologically.

Kuttner's relationships with such a diverse group of scholars illustrates the degree of success he had in disseminating historical research into canon law in the United States. He influenced all of them academically in some way. Almost all of them had something to do with Kuttner, be it through classes at the Catholic University of America, IMCL projects, or the activities of the Riccobono Seminar of Roman Law in America, founded in 1935 within the Catholic University of America, the only institution at that time promoting the study of the history of Roman law in the United States.⁶⁵

with Kuttner began in 1955, although the latter had already sent him his first canonistic works in the 1930s. Apart from their friendship, their correspondence is mainly about various professional queries, as well as organisational and financial matters to do with the IMCL, of which Kantorowicz had been a member from the outset. See ArchSK Nr. 592, 11371–11407, 23310, 27244 and 28800; Hetzenecker, pp. 188–191; Francisco Javier Capistegui, 'Ernst H. Kantorowicz (1895–1963)', in *Rewriting the Middle Ages*, I, pp. 195–221.

⁶¹ See ArchSK Nr. 11378, 11395.

⁶² See ArchSK Nr. 11390–11391.

⁶³ See Hetzenecker, pp. 391–392, 425–438.

⁶⁴ See ArchSK Nr. 11404.

⁶⁵ Kuttner occupied the post of director for two terms and continued thereafter as the main organizer of their activities. He was able through the seminar to have contact with European colleagues and the few Americans working in the field. See Hetzenecker, pp. 89–107.

The Basis for Understanding and Interpreting Medieval Political Thought

Stephan Kuttner's research in the field of medievalism spans numerous topics related to the history of ideas, political thought and, of course, the canonical sources and institutions. Strictly speaking, however, he did not develop any general theory in that regard. His aims were more fundamental, his approach is clearly reflected in the Toronto conference cited above, before the Medieval Academy of America: 'each historical science has to go through a stage in which the critical study and editing of texts must take the first place – not as an end in itself, but as a necessary prerequisite for a valid interpretation of history'.⁶⁶

Nevertheless, his research led to his having a major presence and to exercising a powerful influence in the field of studies in political thought, where the main political theories concerning the relation between Church and State, priestly and royal authority, pope and emperor, are set out. His research field squarely placed him in the relationship between spiritual and temporal authority, a central – if not *the* central – issue in the making of medieval western society. But, in contrast to the historiographic tradition of preceding generations, which made do with broad generalizations and simplified narrations, thinking that the medieval issues concerning the relationship between the two powers did not differ much from modern Church-State relations, Kuttner contributed to an authentic revival in the study of medieval political thought.

In my view, Stephan Kuttner's contribution to the revival and development of this discipline can be summarized in three assumptions that characterize his academic orientation. In the first place – and in this he was at one with Walter Ullmann – a central pillar running through all of Kuttner's historical writings is the conviction that medieval society was fundamentally legal and that legal doctrine provided an essential component of all political debate throughout the Middle Ages.⁶⁷

⁶⁶ Stephan Kuttner, 'The Scientific Investigation of Medieval Canon Law', p. 499.

⁶⁷ For Ullmann, the need to integrate law and history in the study of the medieval world was a *leitmotif* in his writings. In this respect, Ullmann established two clear contextual principles, according to which in the Middle Ages there was no 'institution or historical situation in which the law did not play a crucial part'; and 'medieval law concerned itself with the totality of social and public life to an extent no modern legal system does': See Walter Ullmann, *Jurisprudence in the Middle Ages: Selected Studies* (London: Variorum Reprints, 1980), pp. i-iv.

In the legal sphere, Kuttner stressed that medieval canon law is an essential factor to understanding not only the history of the Church, but also the great controversies concerning the organisation of Christian medieval society.⁶⁸ He understood medieval society as a complex reality in which the ideas, doctrines and personalities of its authors, social conditions and political events are inseparable.⁶⁹ He perceived intellectual history as an indispensable part of the recurrent crises and conflicts of the political, ecclesiastical and secular body of western Christianity, emphasizing that political life and jurisprudential reasoning remain closely interwoven.

This conviction led him to advocate a return to the *droit savant*, especially to that of the canonists, as a sure guide in fashioning an intellectual history of the period. The collections that form part of the *Corpus Iuris Canonici*, the works of the commentators and the praxis of the Roman Curia represented a universal system of law, based on the sole universally recognized authority at the time: that of the Church. And that continued to be the case in the Holy Roman Empire (especially in Italian cities, France, England, Naples, Spain and every political body that refused to submit to the *Imperium Romanum*), where Roman law applied only to the extent that it constituted a source that was subsidiary to custom and territorial statutes.⁷⁰

Kuttner's academic activities helped clear the way for a new appreciation by the mid-twentieth century of the importance of canonical thought in major questions of ecclesiastical and secular government, with studies on medieval political theory paying a more systematic attention to the canonists' political thought. The subject specialists concur that in the transition from feudal hierarchy to corporate states, the Italian canonists of the mid-thirteenth century, in the way they considered all political groupings against a background of Roman law, ecclesiastical corporation structure and Italian communal organization, most likely contributed a great deal to the development of the socio-political ideas accompanying that change.⁷¹

⁶⁸ Stephan Kuttner, 'Die mittelalterliche Kanonistik in der Forschung der letzten hundert Jahre', pp. 9–10.

⁶⁹ A well-known assertion of Frederic W. Maitland has it that 'in the Middle Ages the Church was a state', which his disciple John N. Figgis took even further: 'in the Middle Ages the Church was the state'. See *Authority and power: Studies on medieval law and government presented to Walter Ullman on his seventieth birthday*, ed. by Brian Tierney and Peter Linehan (Cambridge: Cambridge University Press, 1980), p. vii.

⁷⁰ See Stephan Kuttner, 'Some Considerations on the Role of Secular Law and Institutions in the History of Canon Law', in Stephan Kuttner, *Studies in the History of Medieval Canon Law* (London: Ashgate Variorum, 1990), VI, p. 353.

⁷¹ 'Canonistic studies provide a useful bridge between the realm of pure theory and the world of hard facts, both because the canonists' thought was concrete and realistic, moving close

A second aspect in which Kuttner's contribution was decisive is the interpretation of texts, setting the most exacting standards of rigour and accuracy. The critical editions of canonical collections edited or revised by him are an obvious example of this. With his vast knowledge of medieval sources, Kuttner was aware of how complex and confusing the conceptual framework of the medieval doctrines on rulership could be and of their elusive relation with the realities of medieval government and politics.⁷² In this kind of research, which aims to discover and classify the meanings of words, he drew attention to two semantic issues. The first of them relates to the limitations of language itself, which denotes the reality of things but which never comes to contain that reality as a whole. The second is the temptation to 'to set up words as magic ciphers to play with, regardless of any relation to reality'.⁷³

The great task of presenting and coordinating editions of medieval texts that Kuttner promoted put a vast quantity of canonical texts at the disposal of the academic community. Nevertheless, to have a collection of texts at one's disposal is not enough. One needs to know how to handle them. In this sense it is necessary to know, for example, the working methods of the glossators of canon law, who had to cope with a very heterogeneous collection of sources, making their writings 'particularly rich in pitfalls for the reader who expects from them a fully consistent system of thought'.⁷⁴

The works of medieval canonistics are laden with complex concepts for those who turn to the scholars in political thought in search of an intelligible structure of Western Christendom. Terms such as *imperium*, *sacerdotium* and *regnum*, *Christianitas*, *dominium temporale*, *potestas directa* and

to the real world of events, and because the canonists themselves were often practical men of affairs engaged in the actual conduct of government in the Church and State': Brian Tierney, 'Some recent works on the political theories of the medieval canonists', *Traditio*, 10 (1954), p. 624. See also Stephan Kuttner, 'Foreword', in *Popes, Teachers, and Canon Law in the Middle Ages*, ed. by James Ross Sweeney and Stanley Chodorow (Ithaca-London: Cornell University Press, 1989), pp. viii-ix.

⁷² Kuttner warned of the 'semantic problems arising from the fact that in the great debate so many notions were expressed in equivocal catchwords and metaphors, which almost of necessity lent themselves to substitution of one meaning for another when the same term was used in different contexts of argumentation. It follows that the writers and the protagonists in the perennial controversy, especially when arguing the case for extreme solutions, often fell victims to a *commutation terminum* that needs confused not only their contemporaries but many a modern student of medieval thought as well': 'Review. Sacerdozio e Regno da Gregorio VII a Bonifacio VIII', *JEH*, 7 (1956), p. 251.

⁷³ Stephan Kuttner, 'On 'Auctoritas' in the Writing of Medieval Canonists: the Vocabulary of Gratian', in *Studies in the History of Medieval Canon Law*, VII, p. 71.

⁷⁴ Stephan Kuttner, 'Sacerdozio e Regno da Gregorio VII a Bonifacio VIII', p. 252.

potestas indirecta or *plenitudo potestatis* are richly ambivalent, their meanings depending on the context and era in which they are used. For example, for canonists from the mid-thirteenth century onwards and for modern scholars, the terms *gladius spiritualis* and *gladius materialis* refer to ecclesiastical and temporal power respectively, whereas for the canonical tradition of the first millennium, admirably garnered in Gratian's *Decretum*, these terms refer rather to the powers of spiritual and physical coercion, both belonging to the Church in its condition of perfect legal society.⁷⁵

Finally, and from an epistemological point of view, we should stress that Kuttner's scholarship – in issuing value judgments about the reality studied – is also characterized by a profound understanding of both human nature and, at the same time, the divine nature of the Church. He was equally aware of the political and theological dimensions of the ecclesiastical community which itself is a *regnum* in this world, but not of this world.⁷⁶

It is useful in this regard to view Kuttner in relation to Walter Ullmann, whose perspective differed in many aspects of historical method and interpretation.⁷⁷ In particular, Ullmann has been criticized (perhaps fairly) for the over-reductionism of his interpretations. He sustained two ideas in his writings, which scholars of political theory need to be keep in mind: Chris-

⁷⁵ An example of his erudite and expert handling of the terms can be found in his article 'Cardinalis: The History of a Canonical Concept', in Stephan Kuttner, *The History of Ideas and Doctrines of Canon Law in the Middle Ages* (London: Variorum Reprints, 1980), IX, pp. 129–214.

⁷⁶ Stephan Kuttner, 'The Church in the World. Review Essay', *CHR*, 73 (1987), p. 576. See also Stephan Kuttner, *Harmony from Dissonance. An Interpretation of Medieval Canon Law* (Latrobe, Pennsylvania: St. Vincent Archabbey Press, 1960), pp. 40–50.

⁷⁷ The recurrent theme of Ullmann's work (as seen in *The Medieval Idea of Law as Represented by Lucas de Penna. A Study in Fourteenth-Century Legal Scholarship* and *The Origins of the Great Schism. A Study in Fourteenth-Century Ecclesiastical History*) was the theoretical comprehension of the nature and source of political authority. He identified two opposing theses, the ascending theory (authority derived from above and, ultimately from God, and thence distributed downwards) and descending (authority ultimately vested in the people and conceded by them to their political masters): the model resulting from the tension between these two theories of government (see his work *Principles of Government and Politics in the Middle Ages*) provided him with a framework for analysing the problems of ecclesiastical and secular power, as well as the relations between them. In the hard-fought victory of the ascending over the descending thesis lay the fundamentals of the modern western political order. See David Ibbetson, 'Hermann Kantorowicz (1877–1940) and Walter Ullmann (1910–1983)', in *Jurist Uprooted. German-speaking Émigré Lawyers in Twentieth-century Britain*, ed. by Jack Beatson and Reinhard Zimmermann (Oxford: Oxford University Press, 2004), pp. 269–298 (especially pp. 295–298).

tian society as a united organism and the primacy of the spiritual within that society. Ullmann's respected disciple, Brian Tierney – who was also influenced by Kuttner, reviewing his professor's postulates, concurs that for the canonists, the temporal certainly was inferior to the spiritual, but suggests Ullmann takes for granted that inferiority meant hierarchical subordination, thus oversimplifying the connection between the spiritual and the temporal.⁷⁸

Kuttner did not always agree with either the premises or conclusions of the Austrian author.⁷⁹ For example, he did not share Ullmann's uncompromising views on the nature of papal government.⁸⁰ In the context of the frictions between temporal and spiritual authority, Kuttner's studies – firmly based on a thorough knowledge of the medieval sources – show in most cases a sincere concern on the part of the secular ruler with the well-being of the Church in his domains. Just as in many of the efforts of the thirteenth- and fourteenth-century Popes to extend their ecclesiastical jurisdiction, a genuine devotion to the spiritual welfare of society can be also discerned, 'which cannot be simply dismissed by facile reference to the lust-for-power motive and similar interpretations'.⁸¹ On the other hand, Kuttner's conception of Church power is clearly reflected in his investigation into the origin of the papal title 'servant of the servants of God'.⁸²

I think that the above is a coherent reflection of the figure and impact of Stephan Kuttner on medieval studies in North America in general and of political thought in particular. Few scholars in modern medieval studies have had such an impact. By modernising the study of the history of canon law and establishing solid grounds for the study of the classical period of medieval canon law, he enlarged and strengthened the foundations of Euro-

⁷⁸ Brian Tierney, 'Some recent works on the political theories of the medieval canonists', p. 600.

⁷⁹ See Stephan Kuttner, 'A tribute to Walter Ullmann', *JEH*, 35 (1984), pp. 105–111. Kuttner's correspondence with Ullmann, who was also a corresponding member of the IMCL, is collected in ArchSK Nr. 24515–24578.

⁸⁰ Regarding Ullmann's article 'Leo I and the Theme of Papal Primacy' (in *Journal of Theological Studies*, new series 11 [1960], pp. 25–51), Kuttner wrote to Kantorowicz: 'most of his pretended discoveries on Roman Law connections (about heres indignus, ligare et solver, consortium, etc.) are sheer fantasy – Ullmann is chasing words without adverting to their legal meaning, which is often the opposite of what he thinks' (ArchSK Nr. 11395).

⁸¹ Stephan Kuttner, 'Some Considerations on the Role of Secular Law and Institutions in the History of Canon Law', pp. 351–352.

⁸² Stephan Kuttner, 'Universal Pope or Servant of God's Servants: The Canonists, Papal Titles, and Innocent III', in *Studies in the History of Medieval Canon Law*, VIII, pp. 109–150.

pean history. His arduous and constant dedication in the search for medieval canonist works in the libraries of Europe made an abundant armoury of texts available to all medieval scholars.

It is thanks to him that historical research into canon law – which in the nineteenth century took place almost exclusively in Germany and France – spread to other European countries and began to be practised in America, to result in new developments. In that sense, perhaps none of the other scholars who immigrated to North America achieved Kuttner's success in opening up a new field of study.

Kuttner's academic career lasted seven decades and spanned two continents. He promoted vitally important academic exchange between Europe and America. He knew how to take the best of nineteenth-century European scientific tradition in legal history and left his indelible academic mark on it, bequeathing it as a legacy to the scholarly community of the twentieth century and bridging to the twenty-first century.

Chronology

1907	Born 24 March in Bonn.
1914	Moves to Frankfurt am Main.
1925–1930	Studies law at the Universities of Frankfurt a. M., Freiburg Br. and at the Friedrich-Wilhelms-Universität in Berlin, where he obtains a degree in <i>Utriusque iuris</i> .
1929–1932	Assistant Professor at the Friedrich-Wilhelms-Universität in Berlin.
1933	Marries Eva Sussane Illch. The couple flee to Rome.
1934–1940	Research Associate in the Vatican Library.
1935	He publishes <i>Kanonistische Schuldlehre von Gratian bis auf die Dekretalen Gregors IX. Systematisch auf Grund der handschriftlichen Quellen dargestellt</i> .
1937	He publishes <i>Repertorium der Kanonistik (1140–1234). I, Pro-dromus corporis glossarum</i> .
1937–1940	Associate Professor at the Pontifical Institute Utriusque Iuris (Lateran University).
1940–1964	He becomes established at the Catholic University of America (Washington D. C.).
1955	Founds the Institute of Research and Study in Medieval Canon Law.

1956	Fellow of the Medieval Academy of America.
1962	Fellow of the American Academy of Arts and Sciences.
1964	Fellow of the British Academy.
1964–1970	T. Lawrason Riggs Professor of Roman Catholic Studies, Yale University.
1965	Fellow of the Akademie der Wissenschaften of Göttingen.
1967	Fellow of the Royal Historical Society.
1968	Fellow of the Bayerische Akademie der Wissenschaften.
1969	He receives the Orden 'Pour le mérite' für Wissenschaft und Künste.
1970	Director of the 'Robbins Collection' at Berkeley School of Law.
1971	President of the Medieval Academy of America.
1973	Member of the Monumenta Germaniae Historica.
1979	Fellow of the American Society for Legal History.

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⁸³ For an extensive listing of Kuttner's works up to 1988, see Giovanni Diurni, 'Atto di conferimento della laurea honoris causa in utroque iure al chiar.mo prof. Stephan Kuttner', in *'Lex et iustitia' nell'utrumque ius: radici antiche e prospettive attuali. Atti del VII Colloquio Internazionale Romanistico-Canonistico (12–14 maggio 1988)*, VII, ed. by A. Ciani, G. Diurni and M. Cerny (Città del Vaticano-Roma: Libreria Editrice Vaticana – Libreria Editrice Lateranense, 1989), pp. xv–xxiii.

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8. ROBERT LOUIS BENSON (1925–1996): JUSTIFICATION OF POWER IN ITS ‘FORMULAE’

Nicolás ÁLVAREZ DE LAS ASTURIAS

Robert Louis Benson was born in Portland, Oregon, on 21 August 1925. After finishing his military service, he attended the University of California, where he graduated in 1950. There he met Ernst Kantorowicz, who would become one of his most important teachers; in fact, when the latter moved to Princeton, Benson did not hesitate to follow him. There, he received his Master of Arts in 1953 and his PhD in Philosophy in 1958, with a thesis entitled ‘From election to consecration: Studies on the constitutional status of an *electus* in the high Middle Ages’. The thesis was supervised by J. R. Strayer and T. E. Mommsen, though it was undoubtedly inspired by Kantorowicz’s interests and methodology.

While he was working on his dissertation, Benson received a grant that allowed him to live in Munich for two years, where he worked at the University and connected with the members of the *Monumenta Germaniae Historica*. His experiences in Germany and his relationship with the members of the *Monumenta* are considered other key factors that shaped his intellectual personality.

Together with Kantorowicz and the *Monumenta*, the third most important influence on Benson during his formative years was Stephan Kuttner, the father of the contemporary science of history of canon law, who had by then moved into the United States from Europe and was teaching at Washington D. C.’s Catholic University of America. Although it is not possible to determine chronologically when he was exposed to Kuttner’s works, it is patently clear that Benson knew them from the moment he started producing his own scholarship.

His academic life was divided primarily between two institutions: Wesleyan University (1959–1975) and the University of California, Los Angeles (1974–1994). He died in Los Angeles, shortly after retiring from teaching, on 18 February 1996.

As the starting point for his essay about Benson's intellectual life, John Bernhardt chooses a sentence that summarises the focus and meaning of his research: 'I study power'.¹ Indeed, the articulation and reception of power (law, politics) and its justification (doctrine) have become the leitmotif of his scholarly production. He frames this leitmotif chronologically within the twelfth century, a period Benson considers crucial to understanding all subsequent events in Europe. Finally, he never lost his conviction that the study of power in the Middle Ages depends on access to canonical sources and doctrine.

These three coordinates – power, twelfth century, and canonical sources and doctrine – characterise his relatively few publications.² Indeed, he published only one monograph, four edited or co-edited volumes, and about twenty articles. Some fifteen more articles were never submitted for publication, despite their being practically finished, because of his perfectionism.

Here, I will examine the significance of Benson's historical work, as well as his influence on subsequent research into the notion and practice of power in the Middle Ages and on other fields of medieval history. I will show, further, how this work can be considered an extension of his masters' intellectual and methodological options.

Benson's Masters and His Own Genius

A dwarf on the shoulders of giants: that is how intellectuals have often viewed themselves, borrowing Bernard of Chartres' popular expression.³ In this way, they made explicit an indisputable truth: that as far as intellectual progress is concerned, everyone's masters are crucial. This formulation also conceals, with the modesty characteristic of the truly learned, their own equally gigantic achievements.

¹ See J. W. Bernhardt, 'I Study Power: The Scholarly Legacy of Robert Louis Benson with a Bibliography of his Published and Unpublished Works', in *Plenitude of Power. The Doctrines and Exercise of Authority in the Middle Ages: Essays in Memory of Robert Louis Benson*, ed. by R. C. Figueira (Aldershot: Ashgate 2006), pp. 171–194.

² A list of all his publications can be found in *Ibid.*, pp. 192–194. I will discuss here only the ones listed at the end of this article, which I consider to be the most relevant.

³ Significantly, this is cited as the opening to the first of those volumes on medieval historiography. Cf. J. Aurell, 'Introduction. Medievalism and Medievalists in the 20th century', in *Rewriting the Middle Ages in the Twelfth Century*, ed. by J. Aurell and F. Crosas (Turnhout: Brepols, 2005), p. 9.

Robert Louis Benson, as we have seen, was educated within the American academic system, obtaining all his degrees and teaching at some of the most prestigious American institutions. His experiences at those institutions were complemented by his encounter with German academics in Munich. We need to consider both those worlds in order to accurately assess Benson's intellectual personality.

Specifically, in the context of historical research in the second half of the twentieth century in North America, we need to reference Charles Homer Haskins,⁴ regarded, and with good reason, the father of the new historical science. This is not the place to outline his intellectual profile or to reflect on his conception of history; we should however, note his *The Renaissance of the Twelfth Century*, which, apart from its intellectual proposals, shed light on the century that would become Benson's central research focus. As we will see below, some of those studies will critically challenge some of Haskins' foundational statements. Another key element in Benson's formation was the input provided by European historians who fled to the United States to escape Hitler's rise to power. In particular, Ernst Kantorowicz and Hans Mommsen, who introduced a new way to engage history, one that Benson learned and developed.

The American atmosphere in the years of Benson's education was characterised by an exciting new vision of historical science, which contrasted with the mainstream of Haskins' followers. This formation was supplemented by what he learned from the solid German historiography practised by the members of the *Monumenta Germaniae Historica*.⁵ Benson thus had to deal with laborious tasks such as text editing and interpretation of medieval sources, based on a methodology that had been bearing fruits for decades. He was able, besides, to meet other young scholars with whom he would keep in touch and whose works would inspire him throughout the years. Horst Fuhrmann, the great scholar of the pseudo-Isidorian forgeries during the twentieth century, was perhaps the most relevant among them.

Benson participated in these two worlds, probably of his own free will,⁶ under the leadership of his great master, Kantorowicz.⁷ To elucidate their relationship we have a valuable, though unfinished, testimony by Benson

⁴ Cf. J. Pavón, 'Charles H. Haskins', in *Rewriting*, pp. 87–106.

⁵ Cf. D. Knowles, *Great Historical Enterprises* (London: Nelson and sons, 1963), pp. 61–97.

⁶ It seems unquestionable that Benson moved to Princeton because of his master's transfer.

⁷ Cf. F. J. Capistegui, 'Ernst H. Kantorowicz (1895–1963)', in *Rewriting*, pp. 195–221.

himself: his reflection upon the place his master should occupy in medieval historiography. He notes two characteristics of Kantorowicz's approach which he appropriates: his distrust of great historiographic categories as tools to describe particular historical periods (such as 'Renaissance'), and his little interest in preconceived philosophies or firmly established periodizations which, though useful at first, often end by forcing the interpretation of reality to fit what the sources reveal.⁸

When Benson received his PhD, Kantorowicz had just published his *The King's Two Bodies*, which, as he explains in its preface, had been brewing for years. In the page where he acknowledges all those who had contributed to his work, he does not hesitate to mention Benson⁹ who, in turn, describes his *The Bishop-Elect* as 'a modest supplement to *The King's Two Bodies*'.¹⁰ Indeed, in this preface Kantorowicz notes that he regrets not having placed a more focused attention to the dualities in the ecclesiastical office,¹¹ the topic of Benson's book. Indeed, in some other aspects, Benson's work can be considered a rather more than 'a modest supplement'.

First of all, Benson's monograph focuses more on the sphere of the transmission of power than on the notion of power itself. Furthermore, and this is its main distinguishing element, Benson in fact locates the foundations of medieval political doctrine in the doctrine of canonists and its application in the Church. In other words, he could only study in depth how power is transmitted and conferred in the imperial institution by having previously engaged seriously with those very questions in the ecclesiastical field. For this reason, his monograph can be considered a preliminary text for the research he wanted to do at first but never managed to.¹²

⁸ Cf. R. L. Benson, 'Kantorowicz on Continuity and Change in the History of Medieval Rulership', in *Ernst Kantorowicz*, ed. by R. L. Benson (†) and J. Fried (Stuttgart: Franz Steiner Verlag, 1997), pp. 202–210, especially pp. 205–207.

⁹ Cf. E. H. Kantorowicz, *The King's Two Bodies. A Study in Medieval Political Theology* (Princeton: Princeton University Press, 1997), p. xxi.

¹⁰ R. L. Benson, *The Bishop-Elect. A Study in Medieval Ecclesiastical Office* (Princeton: Princeton University Press, 1968), p. x.

¹¹ 'It may be regretted also that the dualities present in ecclesiastical offices have not been discussed coherently in a special chapter. While this would have been a subject in its own right, the author never lost sight of the ecclesiastical aspects and believes that in an indirect fashion the ecclesiastical side of the problem has not been neglected', E. H. Kantorowicz, *The King's Two Bodies*, p. xxi.

¹² Benson describes his original project in the preface to his monograph (cf. R. L. Benson, *The Bishop-Elect*, p. vii). Bernhardt, in turn, echoes their friends' conviction that Benson would publish a book entitled *The Emperor-Elect*. Cf. J. W. Bernhardt, 'I Study Power', p. 174.

Kantorowicz signalled the importance of canonists' doctrines as a prism for understanding notions of power in the Middle Ages. Indeed, in the aforementioned preface, he regrets the limited use he made of canonical sources in his own work, partly because of the difficulties in access caused by their archiving in numerous locations and the existence of only a few published texts.¹³ Benson also references this problem in his Appendix I, where he outlines a brief *status quaestionis* of the science of history of medieval canon law at that moment.¹⁴ He explains that he knows the work that Stephan Kuttner, on his own and in collaboration with others, was carrying out. In this field, the 'follower' was to go down a path that the 'master' could only point out as necessary.

In order to understand Benson's 'immersion' in medieval canon law, we must remember that, around the mid-twentieth century, this discipline was being studied in a new climate defined by three coordinates and three scholars: Ulrich Stutz, Gabriel Le Bras and Kuttner himself. Stutz had advocated for the need to study canon law history 'historically', a proposal that makes more sense if we recall that, until 1917, historical canon law was operative law in the Catholic Church, a fact that conditioned research to a great extent. The first canonical codification and Stutz's proposal were key moments in the renovation of historical studies on canon law. Le Bras, in turn, from the viewpoint of religious sociology, was highlighting the value of certain sources that he had, together with his master Fournier, analysed in depth.¹⁵ From that perspective, the French author revealed the ways canonical sources help us comprehend medieval society.

Kuttner, finally, pointed out the period between the composition of the *Decretum Gratiani* (ca. 1140) and the promulgation of the *Decretals of Gregory IX* or *Liber Extra* (1234) as crucial for an understanding of our current canonical system and, in general, our juridical civilisation. At the same time, he showed the difficulties inherent in the study of this fundamental period: the need to classify the huge number of manuscript sources; the urgency to carry out 'juridical philology', which would lead to a genuinely critical edition of the main major works; and, lastly, the need to study history of

¹³ In this respect, what he states in the preface to his work illustrates both the situation of canonical sources and the way to solve difficulties. Cf. E. H. Kantorowicz, *The King's Two Bodies*, pp. xix–xx.

¹⁴ Cf. R. L. Benson, *The Bishop-Elect*, pp. 387–390.

¹⁵ Cf. C. Fantappiè, 'Gabriel Le Bras et les Historiens du Droit Canonique de son temps', *L'année canonique* 48 (2006), pp. 235–239.

canon law while noting the specificity of ecclesial society.¹⁶ To accomplish the first two tasks, he founded the *Institute of Medieval Canon Law*, whose early achievements, together with other initiatives, are reflected in the aforementioned Appendix I of *The Bishop-Elect*.

This introduction supports my belief that Benson's intellectual trajectory was essentially based on Kantorowicz's influence, on the one hand, and on his discovery of canonical sources, on the other. Both influences account for a significant part of Benson's work, but not for the whole. We have to add to the equation Benson's own genius, which makes him a master in his own right. Indeed, he was himself a giant who carried later scholars on his shoulders. In fact, though Benson initiated his research in connection to Kantorowicz's topic (power), centred on the twelfth century (considered a key period by many of his predecessors such as Haskins, Kantorowicz, Kuttner), his work developed from a unique and personal perspective and a methodology.

'The Church's jurists constructed their theories of the imperial office by borrowing... above all from the legal definitions of the ecclesiastical office'.¹⁷ This 'discovery', which Benson made while he was writing his dissertation, served to reconfigure his approach towards a historical-canonical perspective, with two clear consequences for his intellectual itinerary. First, he insisted on acknowledging the role that Christianity played on the changes that occurred in the twelfth century. Second, he realised that those historical-canonical studies, related to the constitutional structure of the Church, were interesting in their own right, and not only as a way to understanding imperial power in the Middle Ages. In this way, and without ever abandoning his concerns with the doctrines justifying civil power, Benson became a canon law historian, dealing precisely with the most direct object of this discipline: the regulation of the life of the Church. Unsurprisingly, therefore, his studies were warmly welcomed and enthusiastically discussed in both canonical and theological circles, in a time when these two disciplines were immersed in the renovation process fostered by the Second Vatican Council.

¹⁶ Two of Kuttner's articles summarize what can be described as his methodological approach. Cf. S. Kuttner, 'The Scientific Investigation of Mediaeval Canon Law: The Need and the Opportunity', *Speculum* 24 (1949), pp. 493–501 and S. Kuttner, 'Methodological Problems Concerning the History of Canon Law', *Speculum* 30 (1955), pp. 539–549.

¹⁷ R. L. Benson, *The Bishop-Elect*, p. vii.

‘In the Latin West during the Middle Ages – at least, say, till the thirteenth century – the history of thought consists, in large part, of the history of texts’.¹⁸ The privileging of a rigorous analysis of the sources – from the perspective of a contextual and a semantic analysis – could be defined as the main feature of Benson’s critical methodology. Benson, indeed, was well aware that the notions themselves, and even the authoritative texts in which they appear, change their meaning in the course of the centuries, acquiring and losing nuances, broadening or restricting their scope. We may say that this textual flexibility fascinated him throughout his entire life and led him to write some of his most provocative articles. The texts he analyses are found, mainly, in the canonical collections and in the authors commenting on them (chiefly the decretists). An example of his determination to interpret them correctly is his constant effort to link them with the theological reflections that gave rise to them, as well as with the social and political circumstances in which they were written and evolved.

Benson focused on the history of texts, therefore, but not principally on text editing. One of his unfinished projects was the publication, together with Peter Landau, of some treaties on the elections and some *ordines*,¹⁹ for his own scholarship he used manuscripts and published sources without engaging matters of textual criticism. In this respect, he may be seen to have benefitted from studies by Kuttner and his disciples, but he did not share their concern with acquiring ‘safe-texts’ as soon as possible, and he certainly did not believe that getting them would be an indispensable prerequisite so as to pursue studies on medieval doctrines.

Lastly, Benson’s method can be defined by the principle of ‘circularity’. He never considered the relationship between the ecclesiastical and civil spheres as unidirectional. Though he believed that medieval political developments (and their secularised expression) are based on the ways the Church explains the powers of its sacred ministers, he also realized that ecclesial explanations about its internal life are always conditioned by its being-in-the-world. Thus, Benson’s writing elides simplifications and formulates convincing accounts of how doctrines about power, the basis of ecclesiastical and civil organisation, evolved.

¹⁸ R. L. Benson, ‘Provincia = Regnum’, in *Prédication et propagande au Moyen Âge: Islam, Byzance, Occident*, ed. by G. Makdisi, D. Sourdel and J. Sourdel-Thomine (Paris: Presses Universitaires de France, 1983), p. 59.

¹⁹ As mentioned in R. Rouse, R. Somerville and G. Constable, ‘Robert Louis Benson’, *Speculum* 71 (1996), p. 798.

Benson's Approaches to the Twelfth Century

If we return once more to the image of the shoulders of giants, it is quite clear that the historical science receives from previous generations not only a well-organised account of facts, but also, and above all, certain interpretive categories that clarify our approaches to history. Benson's academic work connects with historiographic context that considers the twelfth century a 'Renaissance' period, in spite of the complexity in defining this term. In fact, Benson echoes the differences in Haskins and Kantorowicz's approaches, and even quotes Southern when he points out the inoperability of such a category.²⁰

Numerous reasons led to such a Renaissance. Since Burckhardt's classic study, turning to Antiquity appears to have served as a key discernment criterion, as it deploys the nature of *analogatus princeps* of the Italian Renaissance, which necessarily determines the characterisation of any other period.

Benson dealt with this questions directly only at the end of his career, after having studied doctrines in numerous texts without particular emphasis on the ways they should be described, a fact I find particular significant. Thus, his review of this historiographical category is supported by the irrefutable evidence found in the sources he studied.

In my opinion, Benson's contribution to the accuracy of this historiographical category, regarding the twelfth century, is double. Firstly, he believes – reformulating Haskins's general approach – that the main driving force behind this 'Renaissance' was Christianity: 'the renaissance made use of content drawn from other cultures, but the central source of its energy lay within Latin Christian culture'.²¹ In this way, he corrects Haskins' vision, which identified 'Renaissance' with 'secularisation' and proposes, rather, identifying it with 'rationalisation'.²²

Secondly, if using Antiquity as a model is a criterion of the category 'Renaissance', we should note the differences between the Italian Renaissance and the 'medieval renaissances' (the Carolingian and the twelfth century). While taking on classical forms, medieval renaissances were strongly

²⁰ Cf. R. L. Benson, 'Kantorowicz', pp. 205–207.

²¹ R. L. Benson (with Giles Constable), 'Introduction', in *Renaissance and Renewal in the Twelfth Century*, ed. by R. L. Benson and G. Constable (Oxford: Clarendon Press, 1982), p. xxii.

²² 'Several authors in this volume are inclined to stress rationalization more than secularization as a characteristic of the age', *Ibid.*, p. xxiii.

Christian and would have had a weaker sense of a separation between them and Antiquity than that of Renaissance Humanism. In this regard, Benson joins Panofsky in his criticism of Haskins, although he qualifies that sense of continuity. For Benson, indeed, there was a clear awareness of novelty in the twelfth century, a novelty involving distance from the old times. Maybe because of the obviousness of this sense of novelty, the term he preferred as a label for the progress of the twelfth century is *Renovatio*.²³

Models from Antiquity play a fundamental role in this renovation process, not in the sense of a re-proposal, but to inspire and legitimate a power whose substance derived from its historical origin and specific situation. Antiquity offered, then, images, concepts and even ‘techniques’ (Roman law), but they were assimilated by a medieval mind and culture which could be, in that way, revitalised within a context of continuity. As Benson notes in his longest article: ‘Even apart from their perceptions of Antiquity and their limited knowledge about it, however, they faced limited possibilities in the world around them. In the twelfth century, politics and government were not merely a game of the learned. Rather, they were the responsibility of rulers and statesmen, who sought a certain legitimacy in ideal models from Antiquity but had to govern within the reality of living institutions’.²⁴

However, the great renewal, the true factor for change in the twelfth century did not reside principally in the adoption of these political models from the ancient world, but in solving the conflicts designated by historiography as the ‘Investiture Controversy’.

In his review of the concept of ‘Renaissance’ applied to the twelfth century, Benson explicitly mentions this question, as one needing further study.²⁵ His research on the evolution of the conception of power during that century – in studies that always started at the Investiture Controversy – led him to create his own vision of this ‘renaissance’. Thus, we go back to his fundamental work, *The Bishop-Elect*.

This study proposes a leitmotif that explains the major changes that occurred in twelfth century political theory, which starts from the ‘Investiture

²³ Cf. *Ibid.*, pp. xxiv–xxv.

²⁴ R. L. Benson, ‘Political *Renovatio*: Two Models from Roman Antiquity’, in *Renaissance and Renewal in the Twelfth Century*, ed. by R. L. Benson and G. Constable (Oxford: Clarendon Press, 1982), p. 384.

²⁵ ‘The great ecclesiastical reform of the eleventh century – also, one suspects, the accompanying political struggles – played a larger role in the origins of our renaissance than we had anticipated, probably even larger than any of these essays has indicated’, R. L. Benson (with Giles Constable) ‘Introduction’, p. xxviii.

Controversy'. This created a problem partly based on the difficulty in separating the spheres that constituted the ecclesiastical office (sacramental power, power of jurisdiction, temporalities and, within the latter, those attached to the ecclesiastical office and those corresponding to the civil functions performed by the Church ministers).²⁶ Investiture from the hands of the civil power favoured the civil dimension of an office; however, the ecclesiastical office, also inseparably a part of person invested, could not be granted by civil authority. The so-called Gregorian Reform sought to put an end to this praxis by means of the return to the traditional appointment by the clergy and the laity, i.e., by election. Theorisation on the process of conferring ecclesiastical offices (through election, confirmation and consecration) allowed for discernment between the different dimensions of the ecclesiastical office, mainly by considering the powers due to the *electus*. Benson points out that, once the powers of the *electus* were distinguished in canon law as *potestas administrandi*, this category defined the power of the Emperor in relation to the Pope. Similarly, other distinctions drawn by canon law in order to explain the process of power transfer were also progressively applied to the explanation of the transfer of civil power.

The need to justify imperial power on different grounds from those offered by canonical doctrine and the papacy explains, in part, the figure of Frederick II and his particular idea of *renovatio Imperii*. In any case, this dynamic, which emerged from the so-called Gregorian Reform and was developed by twelfth-century canonists, undoubtedly characterises that century and explains both the reasons and the scope of the so-called 'Renaissance' or '*Renovatio*' much better than many other factors highlighted by other historians.

Doctrines and Institutions in Evolution

Changes in the doctrines on power during the twelfth century have, therefore, an essentially ecclesiastical origin. Ecclesiastical authors with notions taken from theology and canon law drove these changes. But Benson also reflected on the origin of those notions and doctrines. The validity of his

²⁶ In a previous article, Benson deals with the *regalia*, a question he will develop in the second half of his monograph. Cf. R. L. Benson, 'The Obligations of Bishops with *Regalia*: Canonistic Views from Gratian to the Thirteenth Century', in *Proceedings of the Second International Congress of Medieval Canon Law*, ed. by S. Kuttner and J. J. Ryan (Vatican City: Monumenta Iuris Canonici, Series C: Subsidia, Vol. 1, 1965), pp. 123–127.

queries are heightened by the specific characteristics of ecclesial society, where Tradition plays a fundamental role in the Church's understanding of itself. That is why, in Church language, the term 'reform' is always preferable to 'revolution', as reform implies a return to origins.

Benson was aware of the Church's vision of itself, which provides the hermeneutical framework for an understanding of the works of twelfth-century ecclesiastics. He therefore focused, for much of his life, on the affirmation of the traditional nature of reforms and the fact that changes introduced could be combined. He did this by examining the evolution of the doctrines contained in set *formulae* (to be precise, the one of *plenitudo potestatis* and that of Christian dualism) and of institutions (mainly the appointment of bishops and the establishment of the canonical territory). Thus, if every 'renaissance' turns to Antiquity, in the case of the Church that turn is not characteristic of a certain time, but is its customary course of action.

The technical expression used by the Church when defining the power of the Roman pontiff is *plenitudo potestatis*. In canonical and theological literature, especially from the provisions made by the great medieval Popes, this concept became the cornerstone of the explanation about the distribution of power in the Church. At the same time, it became the concept repeatedly cited as justification of the position (and its consequences) of the Pope in the Church, as well as in medieval society. However, before it became a concept that applied strictly to the Pope, *plenitudo potestatis* referred to the difference between the person who holds an ordinary jurisdiction and the one who only holds it in a derivative way.

Benson analyses the evolution of that formula, especially in the High Middle Ages, in a study published a year before his monograph. He references the known origin of the formula itself (a letter by pope Leo the Great to his apostolic vicar in Thessaloniki), and then shows how it acquires, between the ninth and the eleventh centuries, the characteristics that, in the twelfth century, make it the key prism that explains such different powers and their connection: 'within a single *quaestio*, Gratian constructed the model for the later theory that defined *plenitudo potestatis* as the ubiquitous jurisdiction pertaining to the *ordinary judge of all*, and which characterized the *pars sollicitudinis* as a derivative form of jurisdiction'.²⁷ This recalls one of the ways canonists of the twelfth century justified the Emperor's jurisdictional dependence in relation to the Pope.

²⁷ R. L. Benson, '*Plenitudo Potestatis*: Evolution of a Formula from Gregory IV to Gratian', *Studia Gratiana* 14 (1967), p. 217.

If the notion of *plenitudo potestatis* is essential for the characterisation of power and its distribution amongst the rulers of a given society (namely, the ecclesial society and also the Empire, with regard to the former), the unavoidable doctrinal framework for the understanding between *Sacerdotium* and *Regnum* is articulated in the well-known letter by pope Gelasius I to the emperor Anastasius. It appears at first as little more than a paraphrase of Jesus' answer, in the Gospels, about the moral licitness of paying taxes; in fact, it condenses, almost as much as the evangelical text does, what has been defined as 'Christian dualism', pointing out the need for the existence of two powers.

However, Gelasius' text presents at least two problems. The first, and clearest, one lies in determining how both powers are coordinated. This issue demonstrates the ambiguity of the text, as it has been interpreted in diametrically opposing ways at different historical times, based on specific philosophical trends. Benson magnificently explains this diversity of opinion in his 1982 article, *The Gelasian Doctrine: Use and Transformations*. However, I would argue that his most significant scholarly contribution might be his negotiation with the other great ambiguity in the Gelasian text: its theological justification. Indeed, dualism just as formulated by Gelasius is not a mere *factum*, but something that God wanted for humanity. His linking of this letter to another one of Gelasius' writings, where the Pope explains the reasons for dualism (the *Tomus*), is an outstanding contribution to the question. At the same time, the differences in the transmission of both texts in medieval theological and canonical literature account for the fact that the text, divested of its original, specific purpose, has been used as a reference to explain coordination models between radically diverse ecclesiastical and secular powers.

Since the specific origin of all medieval changes to the concept of power and the connection between the civil and ecclesiastical spheres lay, for Benson, in the appointment process of ecclesiastical offices, it is not surprising to find it as a recurrent topic in his research. He had indirectly referred to it in his first article about the *regalia* and, as we have seen, his study on this matter was the starting point for his *The Bishop-Elect*. However, he returns to this question a few years later, not because of particular progress in his research, but because of the value of his insights to canon law at the time. As I already mentioned – and will further discuss in the next section – Benson's studies soon aroused interest among canon law scholars. The reason for this, apart from the quality of his work, was the current process of reforms of the first Canon Law Code of the Church, in the light of the Second Vatican Council's ecclesiological teaching. One of the most important teachings of

the Council, the re-evaluation of the laity's vocation and mission, inspired scholars and canonists to try and find ways to renew particular aspects of the life of the Church, using the term 'co-responsibility' as a catalyst for many of the proposals. The conference on this question organised by the *Canon Law Society of America* allowed Benson to turn again to the question of ecclesiastical appointments in the Middle Ages and to express – probably for the first and only time – his opinion on the connection between his studies and the present of the Church.²⁸

The last of Benson's published articles on the evolution of doctrines and institutions refers to questions related to the exercise of ecclesiastical power and territory as a criterion that defines its limits. The general statement that the adoption of the territorial principle by the Church had to do in part with the administrative division of the Roman Empire has never been refuted in its entirety, but it has been qualified. Benson, in fact, points out some peculiarities in the way the Church took on Imperial territorial organization. This article's interest lies not only in its account of the evolution of this territorial division of the Church and its hierarchical structuring in tiers (diocese, province, patriarchate, etc.) throughout history, but the fact that it reveals how, from the beginning, the Church had to be sensitive to civil organisation when dealing with its own structuring. In other words, over time, the Church had to modify its territorial structure in order to adapt it to shifting national boundaries, being required, besides, to find unitary representation figures to serve as interlocutors with the civil ruler. The narrative of this need to coordinate with traditional (and Gospel-based) ecclesiastical power organs, while averting the emergence of national churches that would be almost independent from Rome, is the very history of ecclesiastical organisation that Benson describes to a great extent. This highlights another one of the merits of his scholarship: his constant attention to the existing 'circularity' and mutual interaction in the institutional development of the Church and of civil society.

The Relevance of Benson's Research

One of the main features of Benson's work could well be its deep reliance on the sources he constantly examines. Only once, and after having devoted his

²⁸ 'One might wonder, then, if election by *clerus et populus* might not be a more dignified response to the Christian layman, a more effective way of involving them in the common life of a true community, and a chance to enliven the Church further with the generous impulses which now seek to transform secular society', R. L. Benson, 'Election by Community and Chapter: Reflections on Co-responsibility in the Historical Church', *The Jurist* 31 (1971), p. 80.

whole career to the study of numerous medieval canonical sources, did he venture into issues related to historiographical categorisation. Indeed, the relevance of his academic contribution is noted primarily in the use that key scholars of the great historiographical debates in the 1960s and 1970s made of his work. In this context, we could highlight Ovidio Capitani's negotiation with Benson's work in his analysis of the scope that should be allowed to the so-called 'Gregorian Reform,' where he presents issues that led to numerous debates with other scholars.²⁹ It is hardly surprising, as Gregory VII's role and teachings were key subjects of debate in 1960s and 1970s ecclesial historiography. The unquestionable renewal inspired by the Second Vatican Council, both in its general features and in its most specific decisions, drove not a few historians and theologians to look for precedents, breaks and evolutions that would allow them to place it in the broader context of ecclesial tradition. Italian historians who did not come from ecclesiastical or theological fields also took part, for obvious geographical and historical reasons, in this discussion; Capitani is their greatest exponent.

Regarding the implications of the Gregorian period for ecclesiology, Yves Congar believes that it opens an evident process of 'juridification,' compared to a previous, mainly sacramental, period.³⁰ This general characterisation was deemed a negative process by the French theologian, as he thought it would lead to a denaturalization of the Church. Accepting the same characterisation, while judging it from the point of view of political theory, Walter Ullmann considers it, nonetheless, a form of progress.³¹ For reasons of space, I will not

²⁹ See mainly O. Capitani, 'Episcopato ed ecclesiologia nell'età gregoriana', in *Le istituzioni ecclesiastiche della Societas Christiana dei secoli XI-XII: Papato, cardinalato ed episcopato* (Milano: Pubblicazioni dell'Università Cattolica del Sacro Cuore, 1974), pp. 316–373 and 'L'interpretazione pubblicistica dei canoni come momento della definizione di istituti ecclesiastici (sec. XI-XII)', in *Atti del congresso internazionale tenuto in occasione del 90° anniversario della fondazione dell'Istituto storico italiano per il Medio Evo* (Roma, 1976), pp. 253–282. Now gathered in O. Capitani, *Tradizione ed interpretazione: dialettiche ecclesiologiche del sec. XI* (Roma: Jouvence, 1990), which will be used for quotations. On the value of Capitani's work, see *Orientamenti e tematiche della storiografia di Ovidio Capitani*, ed. by M. C. De Matteis and B. Pio (Spoleto: Fondazione Centro Italiano di Studi sull'Alto Medioevo, 2013).

³⁰ For Congar's theory, see Y. M.-J. Congar, *L'Ecclesiologie du Haut Moyen Age* (Paris: Cerf, 1968). For an intellectual biography of Congar, who was above all a theologian, see the excellent pages by M.-J. Le Guillou, 'Yves Congar', in *Bilan de la théologie du XX^e siècle*, ed. by R. Vander Gucht and H. Vorgrimler (Paris: Casterman, 1970–1971), vol. 2, pp. 791–805.

³¹ See, in particular, W. Ullmann, *Principles of government and politics in the Middle Ages* (London: Methuen and Co., 1966). About Ullmann, see C. J. Nederman, *Lineages of European*

present Capitani's critiques on both assessments, except to note that he challenged those conceptions presented without the support of substantial review of the sources. As a model for this kind of studies, which must set up global historiographical categories, he consistently points to *The Bishop-Elect*.³²

Capitani signals two merits in Benson's text: the historian's intent to understand the real scope of fundamental ecclesiological statements referring to the papacy and episcopacy (different aspects of episcopal jurisdiction), and the diachronic nature of his study. He finds the latter particularly interesting, since it allows scholars to tackle the connection between the 'Gregorian' problems and the *Decretum Gratiani* – that is to say, between Gregory VII and the subsequent development of canon law.³³

Although Capitani considers Benson's methodology appropriate and worth imitating, he occasionally disagrees with his reading or interpretation of texts, and engages with them critically, as have other historians and canonists, such as John Gilchrist.³⁴ In any case, neither Capitani nor the other scholars who have commented on Benson's monograph, consider the work any less than a substantial contribution to the clarification of the origin of some canonical doctrines about power transmission in the Church and then in the Empire, with an exceptionally suitable methodology.

Benson's topic and methodology have given his book a leading place in historiography. For that very reason, however, his work is not a definitive contribution. We have seen the interest of the subject both for those dealing with medieval political theology and for those discussing the history of theology and canon law. For the latter, the matter of the origin (sacramental or not) of the *potestas sacra* is a *quaestio disputata* of special importance today. In any case, a methodology focused on the study of the sources implies assuming from the outset the provisional nature of the conclusions drawn.

We have already noted the ambitious program proposed by Stephan Kuttner, which aims to increase our knowledge of canonical sources.

Political Thought: Explorations along the Medieval / Modern Divide from John of Salisbury to Hegel (Washington D. C.: The Catholic University of America Press, 2009), pp. 3–12.

³² For criticism on both Congar's and Ullmann's stances, see O. Capitani's *Tradizione ed interpretazione*, pp. 132–133 and note 88. For his positive appraisal of Benson, see, for example *Ibid.*, p. 118, p. 157 note 4, p. 169 and, especially, p. 180.

³³ 'Tutto il libro di Benson è condotto sulla linea del necessario confronto contenutistico e normativo tra le collezioni del periodo della "reforma" e Graziano', *Ibid.*, p. 158 note 5.

³⁴ For criticism on Benson, see *Ibid.*, p. 102 note 43, p. 118 note 69 and pp. 179–180. Cf. also J. Gilchrist, 'The Office of Bishop in the Middle Ages', *Tijdschrift voor Rechtsgeschiedenis* 39 (1971), pp. 85–101.

Fortunately, it is a program that continues making progress in the critical knowledge of the main sources. Specifically, we could signal the new contributions on the *Redaktionsgeschichte* of the *Decretum Gratiani*, which allow us to better understand the mind of the author of that work and the way he used the texts from tradition; the editions of the works by decretists from different schools are also worthy of note. All this could lead to a 'The Bishop-Elect Revisited after fifty years', of unquestionable interest.

Two questions could be raised regarding the other group of Benson's scholarship, those texts on the evolution of certain doctrines and institutions. First, that he provide a particularly appropriate method for blending important concepts from theology and law and, simultaneously, that he avoids lapsing into atemporal presentations of abstract concepts, always a source of confusion when discerning the original meaning of sources.³⁵ But his lesson on methodology has served to inspire other scholars, who have learned from and furthered his methodology and studies.³⁶

Finally, we cannot fail to mention the discussion on historiographical categories. Benson seems to have favoured the term *renovatio* as characterising the twelfth century. His studies also shed light on the complicated matter question of how to describe the eleventh century. If we reject the validity of the term 'Gregorian Reform', or at least understand it in a sense that departs from the traditional one, we have to decide how to label the consequences of this reform movement, which would be embodied in the great works of the twelfth century. In this respect, Harold Berman declared in 1983 that it was the first great European 'revolution', which gave rise to our legal system.³⁷ The fundamental statement, the founding nature of the eleventh and twelfth centuries for the western legal tradition, seems irrefutable. The question is whether it should be described as a 'revolution'. In that sense, I believe the whole of Benson's scholarly production, both his works regarding the twelfth century as well as his diachronic studies on doctrines and institutions, show the appropriateness of the 'reform' category (also *renovatio* in a sense) as a category for understanding what happened in those centuries. Benson's thorough studies do not suggest a will to innovate

³⁵ In this regard, cf. the long note by Capitani facing out critically G. Alberigo and containing a real lesson on historical methodology, which also explains the value of Benson's work. O. Capitani, *Tradizione ed Interpretazione*, pp. 153–156 note 5.

³⁶ Cf., for example, S. Kuttner, 'Universal Pope or Servant of God's Servants: The canonists, papal titles, and Innocent III', *Revue de Droit Canonique* 32 (1981), pp. 109–150.

³⁷ Cf. H. J. Berman, *Law and Revolution. The Formation of the Western Legal Tradition* (Cambridge MA: Harvard University Press, 1983).

or break with the past in the broad sense (there is, of course, a will to break with the immediate past), as may be inferred from the ‘revolution’ category. Likewise, in this discussion on correct narrative, his work offers – because it provides precise information – steady reasoning that facilitates opting for one or another way to explain the past.³⁸

I shall end by pointing out what I consider to be Robert Louis Benson’s main contribution to the study of power. It is not the unveiling of its canonical roots, as this was somehow already present in his masters’ work. The novelty lay in his ability to unravel those sources, without being afraid of bending his mind to strictly ecclesiastical topics, no matter how far from his original projects they would lead him. Furthermore, such novelty was accomplished with a particular greatness, which lay in not losing sight of the fact that the sources he was using had not been written to lay the foundations of temporal power, but to solve theological-canonical problems. The fact of not forgetting such an apparently evident thing reflects a particular greatness, so typical of those masters who had tried to perform their tasks being led by their love of truth. That may be the reason why Benson is remembered and followed not only by those interested in medieval political theology, but also by scholars of the history of canon law.

Chronology

1925	Robert Louis Benson is born in Portland (Oregon).
1950	He graduated in the University of California at Berkeley.
1953	Master of Arts in Princeton.
1953–1955	He stays as a Fulbright scholar at the University of Munich.
1958	He receives his Ph. D. from the University of Princeton.
1959–1975	Academic career at the Wesleyan University (full professor since 1968).
1968	He publishes <i>The Bishop-Elect</i> .
1974–1994	Academic teaching at the University of California, Los Angeles.
1996	He dies in Los Angeles on eighteenth February.

³⁸ ‘Rendere più evidenti le peculiarità nella continuità’. Thus Capitani defines the fruit borne by Benson’s book in his way to explain the evolution undergone from Gregory VII on. Cf. O. Capitani, *Tradizione ed interpretazione*, p. 181.

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9. ANDRÉ GRABAR (1896–1990): THE NOVEL CONCEPTION OF ICONOGRAPHY

Marta SERRANO COLL

Biographical Notes

André Grabar was born in 1896 in the city of Kiev, a place with an undeniable Byzantine tradition still evident today.¹ The artistic atmosphere of the city where he grew up, along with the influence of his mother – who had studied fine art and sculpture, were clearly a key influence in his later approaches to art and history.²

After finishing his elemental studies in Kiev, he entered the University of St. Vladimir, where he enrolled in the faculty of classical studies, which at that time included Art History. After receiving his degree in 1915, he moved to what was at that time Petrograd, then Leningrad and is today St. Petersburg, the city founded on 16 May 1703 by Tsar Peter the Great, who aimed to make it ‘Russia’s Window to the West.’ His teachers in the Academy of Arts

¹ Gilbert Dagron, ‘André Grabar, 26 juillet 1896–3 octobre 1990’, in *Annuaire du Collège de France* (Paris 1990–1991), pp. 91–94. Also available at http://www.college-de-france.fr/media/professeurs-disparus/UPL53403_necrograbar.pdf. The most recent references to the work of André Grabar can be found in Engelina Segeevna Smirnova, *Drevnerusskoe iskusstvo: Vizantiia i Drevniaia Rus: K 100-letiiu Andrieia Nilolaevicha Grabara [1896–1009]*, St. Petersburg, 1999; in Maria Giovanna Muzj, *Un maître pour l’art chrétien-André Grabar: Iconographie de la théophanie*, Paris, 2005 and Linda Marie Rouillard, ‘Grabar, André (July 26, 1896, Kiev–October, 5, 1990, Paris), Archaeologist and Art Historian of Classical Antiquity, Byzantium, and the Middle Ages’, in *Handbook of Medieval Studies. Terms, Methods, Trends*, ed. by Albrecht Classen (Berlin-New York: Walter de Gruyter, 2010), vol. III, pp. 2320–2323.

² On this period of his life, during which the influence of his mother and grandmother may have been important for Grabar’s artistic sensibility, see Henry Maguire, ‘André Grabar. 1896–1990’, *Dumbarton Oaks Papers*, 45 (1991), p. xii. This vocation would lead him to paint until the end of his life, in what he called ‘des séances de peintre-amateur’. *Ibid.*

at the University of Saint Petersburg included Dimitrii Vlas'evich Ainalov³ and the archaeologist and medievalist Jacob Smirnov,⁴ both professors at the Russian Academy of Sciences who undoubtedly influenced their student. Grabar discovered Russian and Byzantine art through Nikodim Parlovich Kondakov, a member of the Russian Academy of Fine Arts and member of the Russian Academy of Sciences, who founded the Russian Archaeological Institute of Constantinople together with Fyodor Uspensky. The works of this third teacher, which marked the inception of the modern method in the history of the art of the Eastern Roman Empire, and which include numerous works on the history of Ancient Greek, Russian, Georgian and Eastern Roman Art, were echoed in the work of Grabar, who paid tribute to him in a selection of articles published in 1979.⁵ Grabar himself acknowledged that this period, which ended in November 1917 (shortly after the Bolsheviks seized power) were vital to the development of his novel conception of iconography.⁶ In other words, these were the crucial years in his intellectual formation, because it was the moment that he began to think critically about iconography and about the links between religious life and its art.⁷ This is the topic that became the core of his substantial academic work and that significantly formed the heart of his enormous bibliography, which had such a great impact on later historiography.

After the First World War, in which he did not participate because he was deemed unfit for military service,⁸ and after passing his final exams to complete his studies in Odessa in 1919,⁹ he moved, in January 1920, to what had previously been the city of Sredets, renamed Sofia after the War of Liberation, the capital of Bulgaria since 1879. He remained there for three

³ One of whose most important studies was *The Hellenistic Basis of Byzantine Art*, published in 1900, which highlighted the nature of the aesthetic evolution of Byzantine art for the first time.

⁴ Who produced very important works in the Balkans, Crimea, Palestine and Asia Minor.

⁵ André Grabar, *L'art paléochrétien et l'art byzantin: recueil d'études 1967–1977* (London: Variorum Reprints, 1979).

⁶ Lee Sorensen, 'Grabar, André, Nilolaevich', in *Dictionary of Art Historians. A Biographical Dictionary of Historic Scholars, Museum Professionals and Academic Historians of Art*, ed. by Lee Sorensen: <http://www.dictionaryofarthistorians.org/index.htm>. This website was consulted for the general details about art historians which appear throughout this lecture.

⁷ Maguire, *André Grabar*, p. xii.

⁸ He also did not participate in the Russian Civil War (1918–1920): Gilbert Dagron, 'Hommage à André Grabar', at http://www.college-de-france.fr/site/professeurs-disparus/andre_grabar.htm, website accessed on 8 January, 2014.

⁹ Maguire, *André Grabar*, p. xii.

years, and became the assistant curator of the Archaeological Museum at the behest of then director Bogdan Filov, the renowned archaeologist and art historian.¹⁰ This position enabled him to travel around the country where he discovered and photographed many buildings that were unknown outside the country at that time and eventually to compile an extremely rich archive of medieval Bulgarian monuments.¹¹ He wrote his doctoral dissertation, entitled *La peinture religieuse en Bulgarie au Moyen Âge*, at this time, which was one of great enthusiasm and full-time dedication. His dissertation was published in Paris in 1928.

Six years earlier, in 1922, as a Russian language teacher in the Faculty of Arts at Strasbourg,¹² Grabar had moved to France,¹³ where he acquired French citizenship. He lived in Paris, the 'City of Lights,' where he met the man he would later acknowledge as being the most important influence on his career: the Hellenist and Medievalist Émile-Paul-Frédéric Pedrizet.¹⁴ This scholar had opened up new avenues of knowledge in the study of the popular arts, by arguing against the superficial theory of those who viewed them only as decorative figures, signalling their evident religious meaning. From this teacher, who had energized French Byzantinology by privileging internationally renowned material and intellectual tools,¹⁵ Grabar developed a heightened appreciation for religion and its influence,¹⁶ although he also learned from the rich and prolific works of Émile Male on the meaning and significance

¹⁰ He was also a politician. He served as Prime Minister of Bulgaria during World War II, which led to his execution by firing squad as a result of the active role he played in the Holocaust.

¹¹ The results of this research included his monographs *L'Église de Boïana, architecture, peinture* (Sofia: Imprimerie de l'Etat, 1924) and *La Peinture religieuse en Bulgarie* (Paris: Geuthner, 1928).

¹² He taught Art History as well as Russian in Strasbourg, first as an assistant lecturer and then as a replacement for Albert Gabriel, who had been appointed Director of the French Institute in Istanbul.

¹³ In 1923, he married a Bulgarian student of medicine, Julie Ivanova, who died in 1977.

¹⁴ His important work as an epigraphist and archaeologist has also been recognized. It is enlightening to read the article by Charles Picard, 'Eloge funèbre de M. Paul Pedrizet, membre de l'Académie', in *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres*, 82, 3 (1938), pp. 270–280.

¹⁵ The particular degree of interest in Byzantine studies at the end of XVIII century is analyzed in Sophia Germanidou, 'Byzantine Art and Architecture', in *Handbook of Medieval studies*, I, pp. 181–185.

¹⁶ '[...] son sens particulièrement développé de tout ce qui touche au fait religieux': Dagron, *André Grabar*.

of the religious image.¹⁷ In Paris he became a student of Gabriel Millet, who had spent most of his career studying Byzantine Christianity and Christian archaeology until his retirement in 1937, when he was replaced by Grabar at the École Pratique des Hautes Études (fifth Section of l'École des Hautes Études). At this institution, Grabar was able to continue applying some of the methods he had learned from his Russian masters until the end of this period in 1966. Gabar's relationship with this scholar who was internationally renowned as a historian, an archaeologist and also as a photographer,¹⁸ began just as Millet was bringing together the first large group of internationally reputed French Byzantinists at his seminar at l'École des Hautes Études (in the religious sciences section) and the Collège de France.

In 1945, Gabar founded the *Revue archéologique* with the aim of studying the origins of Christian art, in both the East and West. This enabled him, with Jean Hubert, to partially co-edit the first 27 issues of what became known as the *Cahiers archéologiques*. A year later, he was made a professor of Byzantine Archaeology at the Collège de France, a position he held until his retirement in 1966. In 1955, he was accepted as a full member of the Académie des Inscriptions et Belles-Lettres¹⁹ and a few years later, in 1961, he gave the A.W. Mellon Lectures in the Fine Arts at the National Gallery of Art in Washington which were then published, becoming one of his most famous books, the celebrated *Christian Iconography: a Study of its Origins*.²⁰ The importance of his scholarship led to him being awarded numerous honours: he was named Doctor Honoris Causa of the Universities of Princeton, Uppsala and Edinburgh; and, apart from being a valuable member of many internationally recognized scientific societies, he was a foreign member (or the equivalent) of the American, Greek, Austrian, British, Bulgarian, Danish, Norwegian and Serbian National Academies.

¹⁷ Germain Bazin, *Histoire de l'histoire de l'art. De Vasari à nous jours* (Paris: Albin Michel, 1986), pp. 495–496. He was the director of the Académie de France in Rome, and his thesis, *L'Art religieux du XIII^e siècle en France*, remains a key reference work for historiographers. The importance of his scholarship, and their resonance in Grabar's work, is discussed in Elina Gertsman, 'Art History', in *Handbook of Medieval Studies*, I, pp. 118–119.

¹⁸ André Grabar and other colleagues published the *Catalogue des négatifs de la Collection chrétienne et byzantine fondée par Gabriel Millet* (Paris: Presses Universitaires de France, 1952).

¹⁹ Dagron, *André Grabar*.

²⁰ André Grabar, *Christian Iconography: A Study of its Origins* (Princeton: Princeton University Press, 1968).

Intellectual Formation, Historical Background and Career: From Traditional Historiography to New Methods and Approaches to Study

Gabar was educated in St. Petersburg before the First World War and the Revolution, and his teachers included two of the most brilliant and restless minds of the era, whose works opened up new perspectives in art historiography. Specifically, he learned the analysis of iconographic types and affiliations according to models inspired by the history of texts, the study of which would subsequently be called the universe of the forms of the great civilizations.²¹ The first of these was Nikodim Parlovich Kondakov, whose career included his role in the development of an iconographic method of studying major artistic works, primarily through an analysis of their typological features and the social, cultural and political basis for these features.²² Indeed, this Byzantinist art historian is considered a founder of the modern art method for Byzantine studies primarily through iconography. He also taught Grabar the methodologies he used in examining the ways iconographic principles influenced the study of artistic works. Icons were conceived as cultural artefacts as much as art objects, so his work, like that of André Grabar, located them within a historical context. The second major influence on his professional development during this initial Russian period was Dimitrii Vlas'evich Ainalov, whose works combined an aesthetic analysis of works of art with historical and cultural evaluation.²³ His innovative research allowed the young Grabar not only to study Byzantine art in more depth and from new perspectives, but also to read and appreciate the innovative and often controversial working methods of other contemporary historians, such as the works of Percy Ernst Schramm, whose numerous studies demonstrate the importance of symbols, liturgical ceremony, gestures, and

²¹ Dagron, *André Grabar*.

²² His most important works are *Istoriia vizantiiskogo iskusstva ikonografii po miniatiuram grecheskikh rukopisei* (Odessa: Ul'rikh i Shul'tse, 1876); *Vizantiiskie emali: Sobranie A. V. Zvenigorodskogo Istoriia ipamiatniki vizantiiskoi emali* (St. Petersburg, 1892); *Arkheologicheskoe putesthestvie po Sirii i Palestine* (St. Petersburg: Izd. Imp. Akademii nauk, 1904); *Ikonografiia Bogomateri*, 2 vols (St Petersburg: Moskva: 'Palomnik', 1914–15); *The Russian Icon* (Oxford: Clarendon Press, 1927). For further details on this author, see Leo Klejn, 'Nikodim Pavlovich Kondakov, 1844–1925', in *Encyclopedia of Archaeology*, I (Oxford: ABC-Clio, 1999), pp. 165–174.

²³ . His bibliography includes 'Ellinisticheskie osnovy vizantiiskogo islutva', *Bulletin of the Imperial Russian Archaeological Society* (St. Petersburg, 1900–1901), which 60 years later was translated into English entitled *Hellenistic Origins of Byzantine Art*, ed. by Cyril Mango (New Brunswick: Rutgers University Press, 1961).

images as critical sources for political history. In fact, Schramm, like Ernst H. Kantorowicz, introduced an important element of cultural history into a field that, especially in Germany, tended to focus largely on institutions and their texts.²⁴

André Grabar's academic formation, his work and that of some of his contemporaries, evidence a crucial rupture between traditional approaches to art and the various historiographical approaches they created. Until about the 1920s, studies of the artistic object emphasized formal and technical qualities based on a positivist approach driven by the transformations that Europe experienced in the early nineteenth century. But new ways of working emerged after the Second World War which encouraged a study of the works from new polyhedral points of view. Indeed, it was at precisely this point that specialists working independently in Europe and the United States began to create what became known as architectural iconography.

This new field of study was highly praised in many of Grabar's studies, although its more important proponents and developers included Richard Krautheimer, whose seminal work, *Iconography of Medieval Architecture*,²⁵ pioneered the study of buildings whose symbolic elements transcend the purely structural. As a medievalist, Krautheimer focused primarily on art from Germany and Eastern Europe, and conceived of the Middle Ages as a period very differently from the manner that it was being analysed at that time by French and American medievalists such as Henri Focillon and Arthur Kingsley Porter. One of his most important contributions was the theory that argued that medieval architects built churches as 'copies' of venerable archetypal structures. As Paul Crossley explains, 'by linking symbolism with the perceptions of the medieval onlooker, Krautheimer found a way of understanding the loose associations between form and meaning in the Middle Ages, and relating meaning to tradition and patrimonial intention'.²⁶

²⁴ On these authors, see Roberto delle Donne, 'Kantorowicz, Ernst Hartwig' and Janos M. Bak, 'Schramm, Percy Ernst', in Classen, *Handbook of Medieval Studies*, pp. 2388–2393 and pp. 2633–2335, respectively. See also Francisco Javier Caspistegui, 'Ernst H. Kantorowicz', in *Rewriting the Middle Ages in the Twentieth Century*, ed. by Jaume Aurell and Francisco Crosas (Turnhout: Brepols, 2005), pp. 195–222.

²⁵ Richard Krautheimer, 'Introduction to an Iconography of Mediaeval Architecture', *Journal of the Warburg and Courtauld Institutes*, V (1942), pp. 1–33.

²⁶ Paul Crossley, 'Introduction: Frankl's Text: Its Achievement and Significance', in *Gothic Architecture*, ed. by Paul Frankl and revised by Paul Crossley (New Haven: Yale University Press, 2000), p. 28. See also Willibald Sauerländer, 'Richard Krautheimer: 1897–1994', *Burlington Magazine*, 137 (1995), pp. 119–120.

He thus devoted an enormous amount of effort to studying how architectural meaning developed in the Middle Ages and, by doing so, engaged the concepts behind the prototypes and their copies. The results of Krautheimer's study and the methodology he proposed was carried further in the work of Irving Lavin, whose interests focused primarily on the connection between form and meaning in the visual arts. One of his best-known works, *The House of the Lord*, shows that Lavin's approach to architecture is essentially iconographic, as an interpretation of the symbolic details of a structure that create meaning, similar to the way Erwin Panofsky, whose essays he published in 1995, understood it.²⁷

At exactly the same time as Krautheimer was formulating his new methodology, Grabar was preparing his monumental study *Martyrium: Recherches sur le culte des reliques et l'art chrétien antique*,²⁸ in which he divided Christian places of worship into two categories, according to their form and function: congregational churches and *martyria* and *memoriae*, which he used to present a fundamental distinction between the Christian architecture of the Greek East and the Latin West, reinterpreting the origins of these forms and their differences.²⁹ Above all, in this study – although he highlighted the point in other publications throughout his career – Grabar argued along the lines of the urban planner Gustavo Giovannoni,³⁰ the renowned

²⁷ In Erwin Panofsky, *Three Essays on Style* (Cambridge, Massachusetts and London: The MIT Press, 1995).

²⁸ André Grabar, *Martyrium. Recherches sur le culte des reliques et l'art Chrétien antique*, 2 vols et atlas (Paris: Collège de France, 1943–1946). The premises of his work were: the numerous links between pagan and Christian sacred art; recognition of the differences between the ecclesiastical architecture of the East and West, and the need to explain them; the need to explain the emergence from the fifth century onwards of a new iconography that differed from that found in the catacombs, and its intimate connection with the cult of relics. This work on martyrs and relics was greatly admired by Richard Krautheimer who says in his review: *Art Bulletin*, XXXV (1953), pp. 57–61: 'The application of [his] thesis to Early Christian and Byzantine church architecture has led Grabar to what may well be the first consistent interpretation on the origin of these forms and of the basic differences that separate Eastern and Western medieval architecture'.

²⁹ Eugène Kleinbauer and Thomas P. Slavens, *Research Guide to the History of Western Art* (Chicago: American Library Association, 1982), pp. 70–71.

³⁰ A documentary architectural historian, architect and urban planner. His strong technical and art-historical interest led him into the field of conservation and urban redevelopment projects.

Rudolf Wittkower,³¹ the scholar of early Christian art Earl Baldwin Smith³² and the art historian and curator Louis-Eugène-Georges Hautecoeur,³³ highlighting the importance of the new iconography of architecture. In this new formulation, architecture rather than symbolic interpretation was the domain of images because its ritual use endowed it with a highly symbolic value. This approach was based on the premise that form and content in Late Antiquity and the early Middle Ages were two sides of the same coin: *Martyrium* contained some reflections that would later provide the basis of another of his most important works: *L'Iconoclisme byzantin*,³⁴ in which he addresses the artistic production of the Byzantine world from the perspective of political thought – a universe he was close to from earliest days of his education. This inclination was most likely the result his Russian teachers' influence, although research on Byzantine art was already well advanced in the late nineteenth and early twentieth century, and not only among art historians. A case in point is François-Auguste Choisy, a polytechnic engineer and friend of Eugène-Emmanuel Viollet-le-Duc, who demonstrated in *L'Art de bâtir chez les Byzantines* (1882),³⁵ the technical and constructive

³¹ Richard Krautheimer described Wittkower's art history as blending mathematics and philosophy, the religious and cultural climate with the interrelations between patron and artist: See Lee Sorensen, 'Wittkower, Rudols "Rudi"', in *Dictionary of Art Historians*, ed. by Lee Sorensen, website: <http://www.dictionaryofarthistorians.org/wittkowerr.htm>.

³² One of his most renowned works is *Architectural Symbolism of Imperial Rome and the Middle Ages*, Princeton: Princeton University Press, 1956). His dissertation, *Early Christian Iconography and the School of Provence* (Princeton: Princeton University Press, 1918) has been considered the basis for the *Index of Christian Art*, created by Charles Rufus Morey in 1917, which has become the most important archive of medieval art in existence, and the most specialized resource for the iconographer.

³³ He dedicated a monumental work to this general argument, covering a broad chronological arc running from the third millennium BC to the twentieth century. See L. Hautecoeur, *Mystique et architecture, Symboles du cercle et de la coupole* (Paris: A. et J. Picard, 1954).

³⁴ André Grabar, *L'Iconoclisme byzantin. Dossier archéologique* (Paris: Collège de France, 1957). For interesting review that explains clearly the importance Grabar attributed to icons as instruments of imperial policy, see Milton V. Anastos, 'André Grabar. L'Iconoclisme byzantin: Dossier archéologique, Paris: Collège de France, Fondation Schlumberger pour les études byzantines, 1957, pp. 277 and 163 plates', *Medieval Academy of America*, 34, 2 (1959), pp. 273–278. Inside this study, Grabar also emphasizes that in his study, he included not only the extant monuments of Byzantine art but also the texts dealing with monuments and the opinions of rulers, churchmen and others about the significance of this art.

³⁵ Published in Paris by the Société Anonyme de Publications Périodiques. Ten years earlier, the society had published *L'art de bâtir chez les Romains* (Paris: Ducher, 1873). *L'art de bâtir chez les Égyptiens*, among others, was published in Paris: Édouard Rouveyre, 1904.

qualities of this art,³⁶ and showed that he had a far greater interest in the structure of these monuments than in their decorative detail, in an analysis that has been defined as the logical culmination of two centuries of French rationalism.³⁷ Moreover, the most important compendia of German language documentary sources had been published in 1878 and 1893,³⁸ while Robert Vischer, whose method combining the disciplines of art history and philosophy was criticized by numerous scholars despite creating an interdisciplinary art history, rehabilitated this art in his *Études d'histoire de l'art*.³⁹ Russe Kondakoff published a French language summary of this byzantine art, which was still considered one of the 'low' areas of art history, although it focused on the miniature.⁴⁰ Soon afterwards, in 1900, Dimitrii Vlas'evich Ainalov published in Russian his work on the *Fondements hellénistiques de l'art byzantin*,⁴¹ while in the same year Josef Strzygowski, who some years previously had made substantial contributions to scholarship on the Byzantine miniature, gave historiography his revelatory *Orient oder Rom?*,⁴² in which he argued that early medieval architecture owed much of its influence to the Middle East. Grabar's work therefore developed in an environment in which new methods and historiographical perspectives were emerging in the field of art history, which had been considerably enriched – while also being extremely disturbed – by the discussions arising from the results of new research, were often received with great controversy by the traditional critics. Grabar joined the debate by arguing that iconographic study required updating: he was convinced that every ancient image, sacred or otherwise,

³⁶ Germain Bazin, *Histoire de l'histoire de l'art. De Vasari à nos jours* (Paris: Albin Michel, 1986), p. 201.

³⁷ David Watkin, *The Rise of Architectural History* (London: Architectural Press, 1980), pp. 28 and 89–90.

³⁸ Jean Paul Richter, *Quellen der Byzantinischen Kunstgeschichte* (Vienna: Verlag von Carl Graeser, 1893) and Robert Vischer, *Studien zur Kunstgeschichte* (Stuttgart: A. Bonz, 1886).

³⁹ Vischer, *Studien zur Kunstgeschichte*. This historian, the son of the philosopher Friedrich Theodor Vischer, had addressed numerous periods and various topics in his studies, as evidenced by, among other works, the essay *Zur Kritik Mittelalterlicher Kunst*, a methodical, Impressionist-inspired diatribe against the more modern art forms which he considered decadent. His use of his father's theories on empathy, leading him to new conclusions, are also noteworthy.

⁴⁰ Russe Kondakoff, *Histoire de l'art byzantin considéré principalement dans la miniature*, 2 vols (Paris: Librairie de l'Art J. Rouam, 1886–1891).

⁴¹ M. Ainalof, *Fondements hellénistiques de l'art byzantin* (St Petersburg, 1900).

⁴² Josef Strzygowski, *Das Etchmiadzin Evangeliar* (Vienna: Mechitaristen-Congregation, 1891).

contained a series of traditions and intentions that the historian was called upon to define and explain. He did so using a structuralist method which was rejected by many, and which he was able to use and adapt for his iconographic and architectonic studies.⁴³

Published Work: Fruitful Interrogations and their Echo in Subsequent Historiography

André Grabar produced a substantial body of scholarship that has stimulated even more research. In what follows, I will focus on his most important works, and the ways in which they mark the evolution of his thought over a number of years. His reflections, which have not always been correctly translated,⁴⁴ led to a series of fruitful interrogations that not only shaped the history of Byzantine art, but also affected the teaching, development, and promotion of subsequent historiography. His work was based on the conviction that no sacred work, either pagan or Christian, from either the ancient or medieval period, could be understood without considering its religious implications because, as has been discussed, art, religion and culture form a unity.⁴⁵

At the age of 31, during his time in Strasbourg, he published one of the most essential works on the visual discourse of the political entity: *L'empereur dans l'art byzantin*,⁴⁶ a volume he was urged to publish by Byzantinist

⁴³ See his article on Pentecost published in *Seminarium Kondakovianum*, II, 1928 and reprinted in 1968 under the title *Art de la fin de l'Antiquité et du moyen âge* (Paris, Collège de France). See also his work *Martyrium*. Subsequent studies used the same method. As examples, Grabar himself cited the studies by Gordana Babie, *Les chapelles annexes des églises byzantines. Fonction liturgique et programmes iconographiques* (Paris: Klincksieck, 1969), and Armen Khatchatrian, *L'architecture arménienne du IV^e et VI^e siècle* (Paris: Klincksieck, 1971).

⁴⁴ See for example David H. Wright, 'André Grabar and Carl Nordenfalk, *Early Medieval Painting from the Fourth to the Eleventh Century* (New York: Skira, 1957), pp. 243; 100 pls (98 in colour). \$ 22.50 ('The Great Centuries of Painting', *The Art Bulletin*, 43, 3 (1985/86), pp. 247 and 255.

⁴⁵ The nature and meaning of Christian art was analyzed in the now traditional work by Jane Dillenberger, *Style and Content in Christian Art* (New York. Nashville: Abingdon Press, 1965).

⁴⁶ André Grabar, *L'Empereur dans l'art byzantin. Recherches sur l'art officiel de l'empire d'Orient* (Paris: Les Belles Lettres, 1936). This study was the result of numerous reviews, like the one written by C.R. Morey, *The Art Bulletin*, 19, 1 (1937), pp. 124–125, which despite being brief, highlighted the forced nature of some of his dating, while emphasizing the artistic

historians such as Henri Grégoire,⁴⁷ Franz Dölger,⁴⁸ Louis Bréhier⁴⁹ and George Alexandrovič Ostrogorski.⁵⁰ Grabar examined the meaning of the cult of the emperor and its profound echoes in the art of the Christian West in depth; in other words, he analysed the images of the imperial cycle and the influence they exerted on the Christian art of the Middle Ages. By deploying artistic references on all the themes inherited from Rome, the Hellenistic East and Persia, and harnessing examples from the most important historians of these cultures, which he adopted as models,⁵¹ the author showed the extent of the exaltation and magnification of the sovereign, who used art to proclaim his 'éternelle victoire', showcasing his insignias, attributes, and body language to emphasize the dual legitimacy conferred upon him by the people and by God. His vision of imperial iconography, which he discusses in more depth in later studies,⁵² was critical in understanding that this art, a political and propaganda tool with an extremely high degree of symbo-

and literary material used by the author and how essential this work would be for any student of the subject.

⁴⁷ Often referred to as 'Abbé Grégoire', as he was a constitutional bishop of Blois. He was also one of the founding members of the Bureau des Longitudes, the Institut de France and the Conservatoire National des Arts et Métiers. For more information, see Louis Maggiolo, *La Vie et les oeuvres de l'abbé Grégoire* (Nancy: Imprimerie Berger-Levrault et Cie, 1884).

⁴⁸ Chief editor of the journal *Byzantinische Zeitschrift* from 1931 to 1963, and a member of the Bavarian Academy of Sciences and Humanities.

⁴⁹ A specialist in Byzantine iconography, whose best known work is the three-volume *Le Monde byzantin* (Paris: Presses Universitaires de France, 1947–1950) vol. 1: Vie et mort de Byzance; vol. 2: Les Institutions de l'Empire byzantin; vol. 3: La civilisation byzantine.

⁵⁰ He received his PhD from the University of Heidelberg in 1925, with a dissertation that combined his interests in economics and Byzantine history. His best known work was *Geschichte des byzantinischen Staates* (Munich: C. H. Beck, 1940). For further information, see Herbert Hunger, 'Georg Ostrogorsky, Nachruf', *Almanach der Österreichischen Akademie der Wissenschaften*, 127 (1977), pp. 538–544.

⁵¹ In the introduction to the reprint of his work in 1971, he acknowledged that 'j'y ai suivi l'exemple des historiens de la culture hellénistique et romaine, qui furent particulièrement brillants à cette époque – Franz Cumont, Michel Rostovtzeff, André Alföldi et P. E. Schramm (pour le moyen âge occidental)': Grabar, *L'Empereur*, i.

⁵² Such as the analysis of the miniatures in the manuscript by Jean Skylitzès dating from the XIII–XIV centuries and preserved in the National Library of Madrid, published in Volume XXI of the *Cahiers archeologiques* in 1971, a study on he would subsequently resume work in the complete edition of these illustrations entitled *Skylitzes Matritensis* (Barcelona and Madrid: Herder, 1965). And the study of the role of the portraits of emperors and consuls in the formation of the types dedicated to the icons of Christ, the Virgin or the Apostles, a theme to which he returned in issue XXXVI of the *Revue des sciences religieuses*, which was published in Strasbourg in 1962, and in *The Christian Iconography*, pp. 60–86.

lic significance, was strictly codified and controlled. Grabar concluded that this iconography at the service of empire was simply a reasoned cluster of representations of pagan origin, full of religious significance, which had been Christianized at the same time as the Empire. In order to justify and provide grounds for his hypothesis, he listed images of imperial and religious propaganda, without forgetting the rich numismatic iconography that depicted the 'baptism of the old types' in the words of Gilbert Dagron,⁵³ by adding signs such as the Constantinian labarum, the monogram of Christ or the cross. However, he also analysed them in terms of their relationship to texts describing court ceremonial, which included obvious Old Testament analogies of exaltation of the emperor, such as that of King David, in a simile that would persist throughout the Middle Ages. With this work, he presented a hypothesis that he would subsequently support and work on in more depth in other studies: the very close resemblance between courtly ceremonies and religious liturgy – something that was easy to explain, because in the words of the author: '*il s'agit de deux cultes pratiqués au sein de la même société, qui ont été dotés d'un ensemble de rites, à la même époque, principalement au IV^e siècle*'. He rightly concluded that iconoclasm, the profitable iconographic process instigated and driven by the Byzantine authorities, which led to the flourishing of that splendid, complex imperial art, was followed by the triumphant orthodoxy that began to decline in the mid-ninth century.

L'empereur dans l'art Byzantin remains unsurpassed in terms of its approach, methodology and results and is still considered an inexhaustible research area today. Grabar's publications testify to the potential of this prolific line of research, in which the figures of Constantine and his mother Helena are particularly important, '*les très divins*' in the words of the eleventh century Byzantine theologian and philosopher Jean Italos,⁵⁴ whose effigies can be found in the jewellery pieces known as *constantinata* which were guarantors of a prophylactic efficacy similar to that of the Cross itself.⁵⁵

⁵³ Dagron, *André Grabar*.

⁵⁴ As translated by V. Laurent. Original text: J. Cramer, *Anecdota graeca e codicibus manuscriptis bibliothecarum Oxoniensium* (Oxford: Hakkert, 1836), pp. 190–191. French translation and study by V. Laurent, 'Numismatique et folklore dans la tradition byzantine' *Chronica Numismatica si Archeologica*, 119–120 (1940), reprint by the Institut d'Amérique Byzantin in Paris. Cited in André Grabar, 'Un médaillon en or provenant de Mersine en Cilicie', *Dumbarton Oaks Papers*, 6 (1951), pp. 30–31, n. 7.

⁵⁵ *Ibid.*, p. 32.

This agency or performativity of the image, which acted by itself,⁵⁶ struck a chord in the Middle Ages, with the creation of many new amulets with Constantinian themes, in iconography in a variety of artistic media which are still the subject of study today.⁵⁷ Grabar's studies also showed that, regardless of its preventive value, the cross or the labarum was also valuable as the proclamation of the sovereign's Christian *fidelitas*. The latter concept was also embodied plastically or visually through the *dextera domini* crowning the emperor, which demonstrated the *permanent* delegation of power from God to the emperor at the precise instant when the beginning of his *potestas* was proclaimed: that is, at the same instant as his reign began.⁵⁸ I cannot conclude the commentary on this work without noting that Grabar wrote it after having witnessed the murder of the almost mythical and mystified final embodiment of the Byzantine emperor, in the person of Czar Nicholas II.⁵⁹

The second major landmark in his research career was the *Martyrium*,⁶⁰ a volume that masterfully analyses the buildings where relics were stored, considered holy places based on from Greek and Roman traditions (particularly the *heroon* and its centralized plans). With this study, which was

⁵⁶ *Performativité* and *agentivité*, according to the terms used by French historiography, are two of the new arguments in art history studies. See *La performance des images*, ed. by Alain Bartholeyns, Thomas Golsenne and Alain Dierkens (Brussels: Éditions de l'Université de Bruxelles, 2010), and the Spanish article 'Agentividad e interacción del discurso en las portadas románicas. Las imágenes de los umbrales de Santa María de la Seu d'Urgell', in *Ianua Coeli. La porta monumental romànica als territoris peninsulars*, in press, which is the result of the work by Gerardo Boto, director of the international conference on this topic held in Spain: *III Congreso Ars Mediaevalis: Imágenes en acción. Actos y actuaciones de las imágenes en la Edad Media*, 4–6 October 2013, Aguilar de Campoo (Palencia, Spain).

⁵⁷ A recent example, in the context of the kingdom of Aragon in the eleventh century, is that of Francisco de Asís García García, 'HII TRES IVRE QVIDEM DOMINVS SVNT VNVS ET IDEM. El tímpano de Jaca y la escenificación de la ortodoxia', *Anales de Historia del Arte*, extraordinary volume 2 (2011), pp. 123–146 and by the same author, 'Dogma, ritual y contienda: arte y frontera en el reino de Aragón a finales del siglo XI', in *Fronteras en discusión. La Península Ibérica en el siglo XII*, ed. by Juan Martos Quesada and Marisa Bueno Sánchez (Madrid: A. C. Almudayna, 2012), pp. 217–250.

⁵⁸ Grabar, *Un médaillon en or*, p. 37.

⁵⁹ Other possible areas for consideration include those who encouraged him to publish it, or the role of Kantorowicz and his counterpoint with respect to the mystique of the western Germanic Holy Roman Emperors, who abdicated in 1918, only a year after the Czar's downfall in 1917. Europe lost the emperors of the East and the West at almost the same time.

⁶⁰ Review in Richard Krautheimer, 'ANDRÉ GRABAR, *Martyrium. Recherches sur le culte des reliques en l'art chrétien antique*, 2 vols and atlas, Paris, Collège de France, 1943–1946, pp. 1.040; 147 figs; 70 pls.', *The Art Bulletin*, 35, 1 (1953), pp. 57–61.

undoubtedly new in terms of its method and purpose, Grabar fused architecture and iconography for the first time: images and relics were shown to be inseparable from the representations of the *loca sancta*, so that relics were adorned with images, and images became relics due to their proximity to the holy body and by virtue of the likeness they reproduced.

It is precisely at this point of convergence between images and architecture that we sense what was at the heart of another of Grabar's most paradigmatic works: *L'Iconoclisme byzantin*,⁶¹ where he explores how images were used and how they served as symbols of power. His analysis, which reflected historians' difficulty in understanding that images created a movement of such magnitude (of advocates and detractors), began by describing the knowledge available about them at that time, and how they were considered in the era of the iconoclastic Complaint. Hence, after the famous first sentence of his volume, 'Byzance a vu des gens mourir pour les images'⁶² and after scrupulously outlining his methodology in the preface, Grabar focused on a wide range of art forms in order to examine their meaning. His discourse, set out with his usual brilliance, was marked by an iconographic repertoire which he had expanded by including numismatic representations – legal and official images which, he argued, best displayed imperial ideology – and some images that had been considered marginal in the debates on the art until that point. The book, which was in fact an archaeological report on the history of iconoclasm, was received with varying degrees of enthusiasm in the academic community. His aims and methodology, which differed significantly from the expectations of traditional historiography, led him to respond to some reviews in the second edition by highlighting some aspects, adding a caption to the original title of the work, and claiming that the study of the history of Byzantine iconoclasm should transcend written testimony.⁶³ However, more modern Byzantinists praised his efforts. Notable among his admirers was Georges Ostrogorski, who was considered the shrewdest connoisseur and most insightful historian of the iconoclastic Complaint,

⁶¹ Grabar, *L'Iconoclisme byzantin*. Reissued by Flammarion in 1984, with the text corrected, augmented and even extended with some additions, and also abbreviated in some specific cases. The reasons for the deletion of some passages are set out in the Preface to the second edition.

⁶² *Ibid.*

⁶³ The fundamentally philological nature of Byzantine history in the late nineteenth and early twentieth century was illustrated by the work of Alain Touwaide, 'Byzantine Sciences', in Classen, *Handbook of Medieval Studies*, vol. I, pp. 195–239.

who praised Grabar as a pioneer in terms of method, documentation and the type of questions he asked.⁶⁴

Grabar's contribution to the process of the emperors' appropriation of Christian imagery was very important, and was the first chapter in the original publication, although the second chapter in the second edition.⁶⁵ He addressed the extent to which the emperors were addicted to the veneration of icons, entrusting them with the protection of their domains and their empire. This issue illustrated a complex debate on the use of sacred images and of sacred objects, by those in power. He therefore gave serious thought to one of the arguments upon which he had worked the most: the filtration or osmosis between sacred and imperial iconography. A particularly instructive work is his study of the shrine of St Demetrius belonging to the treasury of the Patriarchate of Moscow, where images of Constantine X and Eudoxia being crowned by Christ proclaimed the legitimacy of the kingdom and the perfection of its government in accordance with the acclamation '*Beaucoup d'années aux souverains Constantin et Eudocie bénits par le Christ*' that was invoked in every ceremony at the palace.⁶⁶ Or perhaps even more significance for this argument was the ivory pyx of Dumbarton Oaks, on which Grabar noted the *damnatio memoriae* placed on imperial portraits, but also the theoretical association with the power of Andronikos, the eldest son of John V.⁶⁷ He also pointed out that the late appearance of the family portrait, with all the members at prayer before God or the Virgin, which echoed contemporary Latin iconography perhaps imported to the East by the Crusaders and undoubtedly derived from Christ's family tree (the Tree of Jesse), confirmed the Byzantine emperor's use of model-templates from sacred characters. This showed the tangible traces of Christian iconography in secular iconography.

⁶⁴ Review published in *Bizantino Slavica*, 21 (1960).

⁶⁵ For the second edition, Grabar believed that he needed to provide an opening chapter in which he analyzed the period in which Christian images, revered by some and rejected by others, spread through the Christian communities but did not penetrate the official art of the emperors and the court.

⁶⁶ André Grabar 'Quelques reliquaires de saint Démétrios et le martyrium du saint à Salonique', *Dumbarton Oaks Papers*, 5 (1950), p. 25.

⁶⁷ The young Andronikos had been commemorated in the churches of Constantinople as an emperor: J. Cantacuzène, *Hist.* III, p. 269. On this pyx, see André Grabar, 'Une pixide en ivoire à Dumbarton Oaks. Quelques notes sur l'art profane pendant les derniers siècles de l'empire byzantin', *Dumbarton Oaks Papers*, 14 (1960), pp. 121 + 123–146.

As Grabar explains, it provided further confirmation that some of the motifs in profane art had originated in religious iconography.⁶⁸

Within the maelstrom of new interpretations that not only supported Byzantine art but also made it the bulwark of new research, historiographers continued to discuss the obvious degradation of Greco-Roman plastic art and the destruction of the space in perspective, which had been carried out by an artistic environment that was simultaneously very different and very difficult to explain. The most common response to it at the time was based on the trend towards spirituality and the new Christian religion that rejected the corporal aspect of man and the world, thereby transforming everything represented into a pure symbol. However, Grabar clarified the matter by interpreting the most subtle symbols in a thirty-page article entitled *Plotinus et les origines de l'esthétique médiévale*.⁶⁹ Here, he explains that after reading the *Enneads* of Plotinus, he discovered that the optical phenomenon was located at the level of the perceived object and not in the eye, which is where reality cancels out perspective and even inverts it. He therefore concluded that anti-classical forms, which some had interpreted in terms of the decline of an aesthetic, should be reinterpreted by going beyond the pure intention to deny their appearance. In doing this, the artistic collection from the Byzantine world, far from being arbitrary, formed a consistent series within the new world view.⁷⁰

His final work, which centred on the origins of Christian iconography, and was described by Gilbert Dagron as very modern in spirit but very classic in tone,⁷¹ developed from a series of lectures he delivered at Princeton. Entitled *Christian Iconography: A Study of Its Origins*,⁷² the volume appeared in English in 1968 and in French a decade later, with an unpublished appendix.⁷³ Here, Grabar demonstrated that Christian art developed two

⁶⁸ 'On a pu constater, d'autre part, que les motifs de l'art profane [...] ont pu passer dans l'iconographie religieuse': *Ibid.*, pp. 145–146.

⁶⁹ André Grabar, 'Plotin et les origines de l'esthétique médiévale', *Cahiers archéologiques*, I (1968), pp. 15–29; and III (1968), pp. 1–6.

⁷⁰ Germain Bazin, *Histoire de l'histoire de l'art. De Vasari à nos jours* (Paris: Albin Michel, 1986), p. 205.

⁷¹ Dagron, *André Grabar*.

⁷² On this subject, see inter alia, Robert M. Grant, 'Christian Iconography. A Study of Its Origins'. By ANDRÉ GRABAR (The A. W. Mellon Lectures in the Fine Arts, 1961), Princeton: Princeton University Press, 1968, 1 + 174 pp. + 346 plates. \$ 15.00", *Church History*, 38, 4 (1969), pp. 524–525.

⁷³ Grabar, *Christian Iconography* and André Grabar, *Les Voies de la création en iconographie chrétienne* (Paris: Flammarion, 1979). The Spanish edition is A. Grabar, *Las vías de la creación en la iconografía cristiana* (Madrid, 1994).

centuries after Christ. Using images and forms from late antiquity to encourage devotion among the faithful, he explained the ways religious concepts and beliefs were translated into images. He also said that these images and forms were harnessed to serve dogma only at a later date.⁷⁴ By doing so, he highlighted the proposition that ‘at the beginning of the Christian experiment in iconography, the inspiration could have come only from the art of other religions or from profane art’.⁷⁵ In fact, one of the most valuable contributions of Grabar’s text is its insistence on the sources and evolution of motifs in Christian iconography as inspired by their contexts, the religious and profane art of the Roman Empire, itself heir to an iconic Greek lexicon.⁷⁶ At the time, he strongly supported the renewal of the iconographic research conducted by Émile Mâle in France and Willibald Sauerländer in Germany, which privileged semiotics, which had been generally rejected by art history until that point. Indeed, negative reviews were swift to appear, like those by the British archaeologist and historian Jocelyn Mary Catherine Toynbee,⁷⁷ while other more favourable reviews appeared in various journals, like the one written by Ellis Kirkham Waterhouse.⁷⁸

Academic Contributions: Grabar’s Influence on Byzantinism and Medievalism

André Grabar, whose rich and stimulating work contributed greatly to the knowledge and interpretation of early Christian and Byzantine art, created a school first in Paris, where he taught many art historians from France, the United States, Britain, Yugoslavia and Greece. The journal *Cahiers archéologiques*, which he founded in 1946 with Jean Hubert, the archivist and cura-

⁷⁴ An anthology of André Grabar’s most important articles was published as *L’Art de la fin de l’Antiquité et du Moyen Âge*, 3 vols (Paris: Collège de France, 1968). In the same year, his students offered him a repertoire of studies entitled *Synthronon*, and this volume will be referred to later.

⁷⁵ Grabar, *Christian Iconography*, p. xliii.

⁷⁶ Rouillard, *Grabar, André*, p. 2321.

⁷⁷ Her review, which highlighted the depth at which the correlation between Christian and pagan iconography was analysed and developed with a comprehensiveness and wealth of detail and scholarly discussion far greater than had been attempted by any previous writer on the subject, was published in *The Classical Review*, 20 (1970), pp. 380–383.

⁷⁸ Ellis Kirkham Waterhouse, ‘Christian Iconography’ *The English Historical Review*, 86 (1971), pp. 598–599.

tor of antiquities in the department of Seine-et-Marne until 1955,⁷⁹ and to which by a collection (the *Bibliothèque des Cahiers archéologiques*) was immediately appended, was this prolific school's official publication. After moving to the United States this scholar, passionate about his work and an intuitive and undoubted innovator of the art-historical method of study, found true colleagues and was able to develop and spread his ideas, especially through the renowned *symposium* at the Dumbarton Oaks Center,⁸⁰ which he regularly attended between 1949 and 1961. There he had the opportunity to work with important academics such as the Russian Byzantinist Alexander Alexandrovich Vasiliev,⁸¹ the priest and academic Francis Dvornik⁸² and the Armenian Sirarpie der Nersessian,⁸³ all of whom he had met when he was a student in Paris in the 1920s. At that institution, he came into contact with other specialists from all over the world, including the influential Harvard Byzantinist and medievalist art historian Ernst Kitzinger,⁸⁴ who as Director of Byzantine Studies at Dumbarton Oaks between 1955 and 1966 and who transformed the institution into the world's leading Byzantine studies centre, to whom Grabar felt a particularly close bond due to their shared intellectual concerns.⁸⁵ his list grew considerably longer with time: it included Milton V.

⁷⁹ He played a considerable role in the 'Save French Art' campaign, fighting a long battle to have French monuments considered 'minor' recognized and saved, as noted by Lee Sorensen, 'Hubert, Jean', in Sorensen, *Dictionary of Art Historians*: <http://www.dictionaryofarthistorians.org/hubertj.htm>.

⁸⁰ Indeed, those organized by Grabar, Dvornik and Kitzinger have been considered the greatest intellectual creations by historiography. The Programme in Byzantine Studies at Dumbarton Oaks Research Library and Collections of Harvard University, which is located in Washington, D. C., hosts a collection of more than 149,000 volumes, devoted to all aspects of Byzantine history, including the sciences: Touwaide, *Byzantine Sciences*, p. 235.

⁸¹ Considered the foremost authority on Byzantine History and culture of the mid-twentieth century.

⁸² One of the leading twentieth-century experts on Slavic and Byzantine history.

⁸³ His work was primarily concerned with Armenian art history, including the study of religious architecture, illuminated manuscripts, and sculpture.

⁸⁴ On this author, see Lee Sorensen, 'Kitzinger, Ernst', in Sorensen, *Dictionary of Art Historians*: <http://www.dictionaryofarthistorians.org/kitzinger.htm>

⁸⁵ André's son, Oleg Grabar, said: 'I'm even not sure that it was very good for Kitzinger to have my father there, because my father was about fifteen years older than he was. And that kind of a little bit made life difficult – I don't mean technically but intellectually – for Kitzinger, who was certainly the most intelligent, the most creative of those four professors': in *Oral History interview with Oleg Grabar (1929–2011), undertaken by Anna Bonnell-Freiden and Clem Wood at the Institute for Advanced Study, Princeton, New Jersey, on 21 August, 2008*. Published online in the *Dumbarton Oaks Oral History Project*, Research Library and Collection: <http://www.doaks.org/library-archives/dumbarton-oaks-archives/oral-history-project/oleg-grabar>.

Anastos,⁸⁶ Glanville Downey,⁸⁷ Kurt Weitzmann⁸⁸ and Ihor Sevcenko,⁸⁹ and many others who never ceased to express their debt, admiration and friendship towards Grabar, as Cyril Mango recently noted.⁹⁰

In general, Grabar could be said to have embodied the French and French-Slavic research traditions, in which abstract thinking and the need to categorize are combined with an unusual degree of intuition about the materiality of objects in material culture.⁹¹ His novel approach to studying works of art made him feel very professionally comfortable at Dumbarton Oaks. He also felt at ease on a personal level, in contrast to how alien Grabar and his wife felt in America, where they saw a world that was completely unrelated to everything that they were accustomed to. Indeed, his son Oleg defined this institution as ‘essentially [...] European [...] with wonderful European manners’.⁹²

⁸⁶ To whom Speros Vryonis dedicated *Byzantine studies in honour of Milton V. Anastos* (Malibu: Undena, 1985).

⁸⁷ He was the first to solve certain terminological problems about the builders, showing that the *méchaniké* involved mastery of much more than building techniques alone: on this subject, see Glanville Downey, ‘Byzantine Architects, their Training and Methods’, *Byzantion*, 18 (1946–1948), pp. 99–118.

⁸⁸ A recognized and influential Byzantine and medievalist scholar, who learnt from notable teachers such as Julius von Schlosser, and Adolph Goldschmidt, who supervised his doctoral thesis. With Ernst Kitzinger, he organized the 1965 Dumbarton Oaks conference on the Byzantine contribution to the art of the West in the twelfth and thirteenth centuries. Oleg Grabar was one of his students.

⁸⁹ He wrote on philology, literature, epigraphy, paleography and codicology. Among other positions, he was Professor of Byzantine History and Literature Emeritus until his death in Dumbarton Oaks in 2009.

⁹⁰ This historian, a renowned scholar of the art and architecture of the Byzantine Empire, said that he had not been particularly influenced by anyone, but admitted to having learned a great deal ‘from both people who were there and the visitors, people like André Grabar, who would come from time to time, but I had met him in Paris’: *Edited Oral History Interview with Cyril Alexander Mango and Marlia Mundell Mango, by Anna Bonnell-Freiden at Oxford University, on 1 August, 2009*. Published online in the *Dumbarton Oaks Oral History Project*, Research Library and Collection: <http://www.doaks.org/library-archives/dumbarton-oaks-archives/oral-history-project/cyril-mango-and-marlia-mundell-mango>.

⁹¹ The various ways of undertaking research are expressed perfectly in Emile Bertaux, *L’art dans l’Italie Méridionale*, 3 vols (Paris: Albert Fontemoing, 1904) and in Guillaume de Jerphanion, *Une nouvelle province de l’art Byzantin. Les églises rupestres de Cappadoce*, 2 vols in 4 parts (Paris: Paul Geuthner, 1926, 1932, 1936 and 1942).

⁹² This problem was felt particularly acutely by his mother, who did not speak English very well: interview by Anna Bonnell-Freiden and Clem Wood with Oleg Grabar at the Institute

Moreover, and as Grabar himself admitted, there were important contributions from other researchers within the powerful line of research that he had created, and some of whom were closely linked to Dumbarton Oaks, while others were not. The model of the images of the emperor, his throne and other insignias, the model provided by some of his triumphal, judicial and other ceremonies, and their echoes in the figuration of Christ the King, Christ as judge and Christ presiding over the cenacle with the apostles, were core issues in the studies undertaken by prestigious researchers who engaged the new methodology and the recent arguments. These include Klaus Wessel,⁹³ Carl Otto Nordström,⁹⁴ Christopher Walter,⁹⁵ Yves Christe,⁹⁶ Johannes Kollwitz,⁹⁷ Otto Treitinger,⁹⁸ and Phaedon Kouloulès,⁹⁹ who with many others confirm the immediacy of the impact of his work.

While the publications of many of his colleagues more or less explicitly signal their debt to, many of his students also expressed their gratitude. One of the most significant gestures on their part was undoubtedly the publication of the collection *Synthronon. Art et archéologie de la fin de l'Antiquité et*

for Advanced Study, Princeton, New Jersey on 21 August, 2008. <http://www.doaks.org/library-archives/dumbarton-oaks-archives/oral-history-project/oleg-grabar>.

⁹³ The author of 'Christus Rex. Kaiserkult und Christusbild', in *Jahrbuch des deutschen archäologischen Instituts. Archäologischer Anzeiger*, 68 (1953), pp. 118–136, in which the influence of André Grabar is perhaps most readily apparent.

⁹⁴ His most important work in this regard is undoubtedly *Ravennastudien: ideengeschichtliche und ikonographische Untersuchungen über die Mosaiken von Ravenna* (Stockholm: Almqvist and Wiksell, 1953).

⁹⁵ This influence is most evident in *L'Iconographie des conciles dans la tradition byzantine* (Paris: Institut français d'études byzantines, 1970), and in the study of the thirteenth-century papal paintings in the Lateran chapel, which appeared in *Cahiers archéologiques*, 20 (1970), p. 155 ff. However, his later work was also indebted to this new perspective; an example is Christopher Walter, *Art and Ritual of the Byzantine Church* (London: Variorum Publications, 1982).

⁹⁶ His abundant bibliography includes *Les grands romans portails. Étude sur l'iconologie de théophanies romanes* (Geneva: Droz, 1969).

⁹⁷ Perhaps his work *Oströmische Plastik der Theodosianischen Zeit* (Berlin: W. de Gruyter and Co, 1914) is the most representative in this field.

⁹⁸ With *Die oströmische kaiser- und Reichsidee nach ihrer Gestaltung im höfischen Zeremoniell* (Jena: W. Biedermann, 1938), containing an in-depth analysis of acclamations in *Byzantinum*, which was soon highly praised by Ernst Kantorowicz in *Laudes Regiae: A Study in Liturgical Acclamations and Mediaeval Ruler Workshop* (Berkeley: University of California Press, 1958), p. 25, n. 35.

⁹⁹ With his monumental *Byzantine Life and Civilisation*, which he published in Athens in eight volumes between 1948 and 1955.

du Moyen Âge,¹⁰⁰ in which several of his former students, mainly those from his tenure at the École Pratique des Hautes Études, acknowledged their debt to their teacher for his inspiration and working method. The Norwegian Hjalmar Torp,¹⁰¹ the Byzantinist Ivor Sevcenko,¹⁰² Sahoko G. Tsuji,¹⁰³ Nicole Thierry,¹⁰⁴ the theologian John Meyendorff¹⁰⁵, Tania Velmans,¹⁰⁶ Jacqueline Lafontaine-Dosogne,¹⁰⁷ Gordana Babic,¹⁰⁸ Colette Lamy-Lassalle¹⁰⁹ and Jean Fournée¹¹⁰ produced a volume aimed evoke the old image of the disciples meeting their teacher, with whom they shared discussions and reflections.

In conclusion, I must once again emphasize that Andre Grabar transformed the study of the visual arts of Byzantium and Eastern Europe. His

¹⁰⁰ *Synthronon. Art et archéologie de la fin de l'Antiquité et du Moyen Âge*. Recueil d'études par André GRABAR et un groupe de ses disciples (Paris: Librairie C. Klincksieck, 1968).

¹⁰¹ In 1999, he received the Fridtjof Nansen Award for Excellence in the Humanities for his work on early Christian and Byzantine art, among other areas.

¹⁰² He, among other things, addressed political and intellectual life at the time of the early Palaiologos: *La vie intellectuelle et politique a Byzance sous les premiers Paleologues. Études sur la polémique entre Théodore Métochite et Nicéphore Choumnos* (Brussels: Editions de Byzantion, 1962).

¹⁰³ His doctoral thesis, supervised by André Grabar, focused on the doors of Santa Sabina in Rome: *Étude iconographique des reliefs des portes de Sainte Sabine à Roma* (Paris, École Pratique des Hautes Études, 1961).

¹⁰⁴ She has conducted her scientific research in Cappadocia for more than fifty years.

¹⁰⁵ A priest in the Orthodox Church, a Professor of Church History and Patristics, who held successive joint appointments as a lecturer in Byzantine theology at Harvard University and Dumbarton Oaks.

¹⁰⁶ Her research focuses on the Byzantine art and its influence on the Balkans, especially painting. She was co-editor of *Cahiers Archéologiques* from 1979 to 1996.

¹⁰⁷ In her studies, she used biblical, apocryphal and liturgical texts as important sources of interpretation. She was head of the section of Christian Art at the Musées Royaux d'Art et d'Histoire /Koninklijke Musea voor Kunst en Geschiedenis in Brussels, and Professor of Byzantine Art at the Catholic University of Louvain.

¹⁰⁸ She has been described as the most prominent iconologist in Serbian and Balkan art history, as well as a scholar of international influence in Byzantine studies: *Art History and Visual Studies in Europe: Transnational Discourses and National Frameworks*, ed. by Matthew Rampley, Thierry Lenain, Hubert Locher (Leiden-Boston. Brill, 2012), p. 468.

¹⁰⁹ She studied Christian iconography following the guidelines set out by her teacher. Examples include 'Les représentations du combat de l'archange en France au début du Moyen Âge', in *Millénaire monastique du Mont Saint-Michel*, ed. by Marcel Baudot (Paris: P. Lethielleux, 1971), pp. 53–64, containing contributions from other authors influenced by Grabar, such as Yves Christe.

¹¹⁰ He worked on piety, liturgy, rites of devotion to the saints and iconography, especially in Normandy: See *Le culte populaire et l'iconographie des saints en Normandie. Étude générale* (Paris: Société parisienne d'histoire et d'archéologie normandes, 1973).

approach created a school whose standing and influence remains unsurpassed. In fact, Grabar's corpus of research continues to be cited in general studies on Byzantine art, as well as in scholarship that discusses the image of power, to the extent that listing them is impossible. As noted at the time by Annabel J. Wharton, Grabar's work is much more than a distinct art-historical tradition¹¹¹ that was not always accepted: in fact, in addition to the other references mentioned above, Ward Perkins criticized what he considered to be structural determinism in his studies.¹¹² Likewise, in another vein, than there is also no doubt that André Grabar, like the other Byzantinists of his day – whether they were from Central, Eastern or Western Europe, or American – were really only interested in scholarship. They had no other agenda. In the words of his son Oleg, 'now old national types have come, and Byzantine studies have tended to become a series of competing nationalisms' – a concern and a goal that I fear extends to modern current historiography of other artistic periods and other geographical areas.

Chronology

- 1896 Born in Kiev
- 1914 After finishing school in his hometown, he is admitted to the University of St. Vladimir
- 1915 Moves to the University of Petrograd
- 1920 Moves to Bulgaria
- 1922 Moves to France, where he would live the rest of his life
- 1937 Becomes Professor of Christian Archaeology at the École Pratique des Hautes Études
- 1946 Becomes Professor of Byzantine Art and Archaeology at the Collège de France. In the same year, with Jean Hubert he founds the *Cahiers archéologiques*
- 1950 Becomes research professor at Dumbarton Oaks (until 1964). In the same year, he chairs the institution's symposium with the central theme of 'The Emperor and the Palace'
- 1955 Elected member of the French Academy

¹¹¹ Annabel Jane Wharton, 'Rereading *Martyrium*: The Modernist and Postmodernist Texts', *Gesta*, 29, 1 (1990), p. 3.

¹¹² J. B. Ward-Perkins, 'Memoria, Martyr's Tomb and Martyr's Church', *Journal of Theological Studies*, n.s., 27–1 (1966), p. 22. Quoted in *Ibid.*, p.4, n. 13.

- 1961 Gives the A.W. Mellon Lectures in the Fine Arts at the National Gallery of Art in Washington
- 1990 Dies in Paris

Selected bibliography

His prolific and multi-disciplinary research output consists of more than thirty books, numerous book chapters and approximately three hundred articles.¹¹³ I present here, in full awareness of the impossibility of listing all his work, the most relevant studies, partly following the outline provided by Gilbert Dagron.¹¹⁴

General Problems

L'Empereur dans l'art byzantin. Recherches sur l'art officiel de l'empire d'Orient (Paris: Les Belles Lettres, 1936).

Martyrium. Recherches sur le culte des reliques et l'art Chrétien antique, 2 vols et atlas (Paris: Collège de France, 1943–1946).

L'Iconoclisme byzantin. Dossier archéologique (Paris: Collège de France, 1957).

'Les peintures murales chrétiennes', *Cahiers de civilisation Médiévale*, 1 (1958), pp. 9–15.

'Les origines de l'icone chrétienne et byzantine', in *Corso di Cultura sull'Arte Ravennate e Bizantina*, 7.1 (1960), pp. 57–58.

'Le portrait en iconographie paléochrétienne', *Revue des sciences religieuses*, 36.3/4 (1962), pp. 87–109.

'Les sujets bibliques au service de l'iconographie chrétienne', in *La Bibbia nell'alto medioevo* (Spoleto: Presso la Sede del Centro, 1963), pp. 387–412.

'Recherches sur les sources juives de l'art paléochrétien', *Cahiers archéologiques. Fin de l'antiquité et moyen-âge*, 14 (1964), pp. 49–57.

'The message of Byzantine Art', in *Byzantine Art a European Art*. 9th Exhibition of the Council of Europe (Athens: Department of Antiquities and Archaeological Restoration, Greek Government, 1964), pp. 51–6.

'Études critiques', *Cahiers archéologiques. Fin de l'antiquité et moyen-âge*, 17 (1967), pp. 249–256.

L'art du moyen âge en Europe Orientale (Paris: A. Michel, 1968).

Christian Iconography: a Study of its Origins (Princeton: Princeton University Press, 1968).

¹¹³ As mentioned at the time by Rouillard, *Grabar, André*, p. 2320. See also Ivan Foletti, 'André Grabar (Andrej Nikolakevič Grabar)', in Stefan Heid and Martin Dennert (eds.), *Personenlexikon zur Christlichen Archäologie. Forscher und Persönlichkeiten vom 16. bis zum 21. Jahrhundert* (Regensburg: Schnell & Steiner, 2012), pp. 601–602.

¹¹⁴ Dagron, *André Grabar*.

L'art du moyen âge en occident. Influences byzantines et orientales (London: Variorum Reprints, 1980).

'Dieu et les hommes: un thème d'iconographie chrétienne. Esquisse d'un programme d'études pour l'antiquité et moyen-âge', *Cahiers archéologiques. Fin de l'antiquité et moyen-âge*, 38 (1990), pp. 5–6.

Descriptions of Byzantine and Other Related Works

La peinture religieuse en Bulgarie au moyen âge, 2 vols (Paris: P. Geuthner, 1928).

La décoration byzantine (Paris and Bruxelles: Van Oest, 1928).

La Sainte Face de Laon: le mandylion dans l'art orthodoxe (Prague: Seminarium Kondakiovianum, 1931).

Miniatures byzantines de la Bibliothèque Nationale: 66 photographies inédites (Paris: Editions d'art et d'histoire, 1939).

'Miniatures byzantines du IX^e au XIV^e siècle', *Corso di Cultura sull'Arte Ravennate e Bizantina*, 7.1 (1960), pp. 59–62.

'Quel est le sens de l'offrande de Justinien et de Théodora sur les mosaïques de Saint-Vital?', *Felix Ravenna*, Ser. 3, 30 (1960), pp. 41–71.

Sculptures byzantines de Constantinople, IV^e-X^e siècle (Paris: Dépositaire A. Maisonneuve, 1963).

'Les cycles d'images byzantins tirés à l'histoire biblique et leur symbolisme princier', *Starinar*, 20 (1969), pp. 133–137.

'La sculpture byzantine au Moyen Âge', *Comptes rendus. Académie des Inscriptions et Belles-Lettres*, 4 (1971), pp. 741–758.

Les revêtements en or et en argent des icônes byzantines du moyen âge (Venice: Bibliothèque de l'Institut hellénique d'Etudes byzantines et post-byzantines de Venise, 1975).

'Les illustrations de la chronique de Jean Skylitzès à la Bibliothèque nationale de Madrid', *Cahiers archéologiques. Fin de l'antiquité et moyen-âge*, 21 (1971), pp. 191–211.

Other Relevant Articles in Miscellaneous Works, Proceedings and Journals

'Le Pantocrator vêtu à l'antique et es archanges en costume impérial', in *Atti del V Congresso Internazionale di Studi Bizantini* (Rome, 1940).

'Plotin et les origines de l'esthétique médiévale', *Cahiers archéologiques. Fin de l'antiquité et moyen-âge*, 1 (1945), pp. 15–36.

'La témoignage d'une hymne syriaque sur l'architecture de la cathédrale d'Edesse au VI^e siècle et sur la symbolique de l'édifice chrétien', *Cahiers archéologiques. Fin de l'antiquité et moyen-âge*, 2 (1947), pp. 41–68.

'La représentation de l'intelligible dans l'art byzantin du moyen âge', in *Actes du VI^e Congrès International des Études Byzantines* (Paris, 1951), pt. 2, pp. 127–143.

'Le succès des arts orientaux à la cour Byzantine sous les Macédoniens', *Münchener Jahrbuch der bildenden Kunst*, ser 3, 2 (1951), pp. 32–60.

‘God and the “Family of Princes” Presided Over by the Byzantine Emperor’, *Harvard Slavic studies*, 2 (1954), pp. 117–124.

‘Portraits oubliés d’empereurs byzantins’, *Mémoires de la Société Nationale des Antiquaires de France*, 83 (1954), pp. 7–54.

‘L’archéologie des insignes médiévaux du pouvoir’, *Journal des Savants* (1956), pp. 5–18 and 77–91.

‘Le reliquaire byzantin de la cathédrale d’Aix-la-Chapelle’, in *Karolingische und ottonische Kunst. Werden, Wesen, Wirkung*, ed. by F. Gerke, Georg von Opel and Hermann Schnitzler (Wiesbaden: Franz Steiner, 1957), p. 282–297.

‘L’imago clipeata chétienne’, *Comptes rendus. Académie des inscriptions et Belles-Lettres*, 2 (1975), pp. 209–213.

L’art de la fin de l’Antiquité et du Moyen Âge, 3 vols (Paris: Collège de France, 1968).

L’art paléochrétien et l’art byzantin. Recueil d’études 1967–1977 (London: Variorum Reprints, 1979).

Publications for the General Public

La peinture byzantine: étude historique et critique (Geneva: Skira, 1953).

With Cari Nordenfalk, *Le haut moyen âge, du quatrième au onzième siècle* (Geneva: Skira, 1957).

With Cari Nordenfalk, *La peinture Romane du Onzième au Treizième Siècle* (Geneva: Skira, 1958).

Le premier art chrétien (Paris: Gallimard, 1966).

L’âge d’or de Justinien, de la mort de Théodose à l’Islam (Paris: Gallimard, 1966).

10. FERRAN DE SAGARRA I DE SISCAR (1853–1939): ON SIGILLOGRAPHY AND POLITICAL THEOLOGY

Alfons PUIGARNAU

'It is indeed within your reach; you have within yourselves the standard by which to apprehend the divine [...], the likeness of the glories of (God's) own nature, as if it were the form of a carving into wax'

Gregory of Nyssa, *Homilies on the Beatitudes**

Introduction**

In the early twentieth century, as he did his research on medieval Catalan seals, the historian and politician Ferran de Sagarra wrote that 'historians of the great buildings of the Middle Ages, whoever they are, should

* Gr. Nyss. Beat. 6 (PG 44: 1269–72). Cf. Jaroslav Pelikan, *Christianity and Classical Culture: The Metamorphosis of Natural Theology in the Christian Encounter with Hellenism* (New Haven: Yale University Press, 1993), p. 127.

** Many of the ideas and documents contained in this text were presented at the following conferences to which I was invited by Jaume Aurell (University of Navarre), Martin Aurell (Université de Poitiers) and Christophe Maneuvrier (Université de Caen Basse-Normandie): 'The iconology of breaking medieval seal matrices' Conference 'The Changing Faces of Religion and Secularity', Institute Culture & Society of the University of Navarre-Spain. Harvard University School of Law Harvard, Cambridge-Massachusetts-USA, 7th June 2012; 'Urban Theologies in Medieval City Seals', en: Collòque *La théologie politique à la fin du moyen âge*, Centre d'études supérieures de civilisation médiévale Université de Poitiers – Institut universitaire de France, 30th November 2012; 'The seals that mark the present time', Colloquium 'Leaving a mark: seals and their use. Around the Anglo-Norman space', Centre Michel de Boüard (CRAHAM), l'Office universitaire d'études normandes (OUEN) de l'Université de Caen Basse-Normandie et le service des Sceaux des Archives nationales. Cerisy-la-Salle, France, 5th June 2013. My deep gratitude to the organisers of these events.

not neglect the study of seals because they offer thousands of details that will help to more accurately date many of those relevant architectures'¹ (fig. 1). In this way, he linked the macroscopic scale of the medieval cathedrals of the Kingdom of Aragon with the microscopic study of the contemporary seals of the kings' chancellery documents. This is important for chronology: sigillography helps art dating and historical fixing. But it is even more relevant if we consider medieval history more as a world view of many things that happened 'together' that as a mere juxtaposition of independent elements with no regard to a cultural whole and an ideological identical world view.

The Catalan historian, lawyer and politician Ferran de Sagarra i de Siscar spent his life working on Catalonia's medieval and modern seals. Between 1916 and 1932, he published his five volumes of the *Catalan Sigillography: Inventory, Description, and Study of the Seals of Catalonia*,² describing more than five thousand royal, civil, and ecclesiastical seals. His work is still considered a masterpiece and was awarded both the Martorell Prize of Spanish Archaeology for his unpublished work *Sigillografia Catalana* in 1912, and the *Prix Duseigneur de l'Académie des Inscriptions et Belles Lettres* of Paris in 1935.

The death of Ferran de Sagarra at Saint-Sulpice-la-Pointe (Department of Tarn, Languedoc), on 30 March 1939, almost two months before Franco's troops entered the city of Barcelona, led to this event passing almost unnoticed. The *Gran Enciclopèdia Catalana* mistakenly notes that he died in Barcelona. Feeling at risk because of the threat of war, his family had moved to France in October 1936. Sagarra wrote that

in August 1936, when I was standing alone at home and they had already pillaged the rest of the flats of the block number 400 in the Diagonal where my father lived, and so far as ours had not yet been entered, I tried my best to make a many letters and other documents disappear because, there would have been fatal consequences if they had fallen into the hands of the armed crowd.³

¹ BC Fons Ferran de Sagarra, Preparatory notes for the Prologue of his *Sigillografia catalana* s.n. The translations of Sagarra's texts are ours.

² Ferran de Sagarra i de Siscar, *Sigillografia catalana: Inventari, descripció i estudi dels segells de Catalunya*, 5 vols (Barcelona: Henrich i C^a, 1915–1932).

³ Josep Maria de Sagarra, *Memòries*, 2 vols (Barcelona: Edicions 62 i 'la Caixa', 1981), I, pp. 161–162. On the Sagarra's departure for exile in France in October 1936 see: Josep Maria Espinàs, *Josep Maria de Sagarra* (Barcelona: Clarasó, 1962), p. 25; following the testimony of Albert Balcells and Enric Pujol in the Plenary session of the Institut d'Estudis Catalans on the 9th of April 1937 it was reported that Ferran de Sagarra had obtained the permission to move

This chapter analyses some of the Ferran de Sagarra's personal notes regarding his sigillography between the nineteenth and the twentieth centuries in Spain. A careful examination of his notes and drawings reveals how his historiographical motivations and political intentions evolved during this project. At the end of the nineteenth century, Sagarra begun studying these seals and his work ended when the Spanish Republic took over political power in Spain (1931). Sagarra's story exemplifies the case of a scholar who, having studied an entire collection of seals, shifted his political position: from indifference to politics to publishing a work aimed at uncovering the essence of his own national and political identity. By reading Sagarra's academic trajectory, I want to establish an ideological linkage between the Middle Ages and the present; consider the use of the study of seals as historical manipulation and national memory; think about seals in terms of historiographical tendencies; unveil unpublished contemporary manuscript sources; and analyse the relationship between history and political intention in the use of seals.

The primary sources are housed at the Manuscripts and Rare Books Section of the National Library of Catalonia (BC). They are seven boxes of documentation on Sagarra's work on sigillography with special regard to the medieval period of the Count-Kings of the Crown of Aragon⁴

Ferran de Sagarra life and career were influenced by dramatic historical events, such as the First Carlist War of 1833–1839⁵ and the Catalan Revolt of

abroad in order to complete his studies of sigillography. In this way, the exile of someone who was loyal to the Republican Generalitat Catalan Government was legalised (Albert Balcells and Enric Pujol. *Història de l'Institut d'Estudis Catalans* (Barcelona; Institut d'estudis catalans, 2002), p. 305 and 311).

⁴ Documents of Ferran de Sagarra i de Siscar at the National Library of Catalonia (BC): Secció de Manuscrits, Fons manuscrit Ferran de Sagarra i de Siscar: Lligalls 27–34 i 41 i caixes 3–4: on his sigillographic research; Lligall 44: original ms. of the *Sigil·lografia catalana* Caixes 6–7 i 17: original documents with seals Lligalls 36 i 40: correspondence on sigillography. The reproduction of these published materials is in plaster or wax at BC under the record: *Empremtes de segells d'institucions i personatges laics i eclesiàstics de la col·lecció de l'historiador i sigil·lògraf Ferran de Sagarra i de Siscar* (4990 seals and 518 coins). In addition to this, the complete Sagarra's collection of seals was donated to the City of Barcelona and is actually hold at the Arxiu Històric de la Ciutat de Barcelona (AHCB) under the Signature AHCB3–302/5D7.

⁵ Cf. Ferran de Sagarra i de Siscar, *La Primera Guerra Carlina a Catalunya (contribució al seu estudi): El comte d'Espanya i la Junta de Berga* (Barcelona : Barcino, 1935). Sagarra's unpublished personal documents of his research on this: BC Fons Sagarra. Lligalls 4, 5, 6, 11, 12, 37, and lligall miscel.lani 51.

1640–1641.⁶ In 1939, he transcribed a number of letters from 1639–1640,⁷ and his grandfather and the rest of his family had happened to be eyewitnesses to the burning of the convent of Our Lady of Mount Carmel near the Sagarra's family house in 1835.⁸

Their experience was but a little piece of the destruction of our great monasteries and priories' archives in those terrible and Apocalyptic days. In this context, the furious sectarianism came to ruin architectural jewels, remove our king's ashes, and here and there destroyed hundreds of manuscripts and venerable books that contained a lot of the treasures of Catalan science and culture. How valuable might have been the immense deposits of historical documentation contained in the archives of Ripoll, Poblet, Sant Cugat del Vallès, Sant Pere de Roda, Santes Creus and so many others for the Catalan nationality's history record.⁹

Ferran de Sagarra was also a fervent Catholic. His painful life experiences and his knowledge of Christian traditions led him to connect devotional texts with deep patriotic feeling.¹⁰ In this context, in 1891, he participated in the Catalanist Competition of the Catholic Youth of Barcelona,¹¹ in 1913 he studied a fourteenth-century Catalan prayer¹² and in 1933 he published on

⁶ He published a number of texts on this topic: 'De re historica', in *Revista de Catalunya*, V (1926), pp. 603–612.; 'Dades referents a les guerres de 1640, 1714, 1809 i 1812', in *Revista de Catalunya*, XI (1929), pp. 424–437; 'El govern republicà de Catalunya en 1641', in *Revista de Catalunya*, XIV (1931), pp. 200–213 and 304–321; *Catalunya en 1640: les lliçons de la història* (Barcelona: Llibreria Catalònia, 1930?); *La Unitat Catalana en 1640* (Barcelona: Llibreria Catalònia, 1932).

⁷ Cf. Documents concerning the *Guerra dels Segadors* (Reapers' War) in BC Fons Sagarra lligalls 15–24 and boxes 10–13. Eva Serra i Puig, *Ferran De Sagarra i de Siscar. Semblança biogràfica*, Conferència pronunciada davant el Ple per el dia 21 d'octubre de 2004, Barcelona (Barcelona: Institut d'Estudis Catalans, 2005), p. 36, note 106.

⁸ Serra, *Ferran de Sagarra*, pp. 8–9. See also: Cayetano Barraquer, *Las casas de religiosos en Cataluña durante el primer tercio del siglo XIX*. Vol. 2. (Barcelona: Altés y Alabart, 1906) and by the same author *Los religiosos en Cataluña durante la primera mitad del siglo XIX*. Vol. 1. (Barcelona: Altés y Alabart, 1915).

⁹ Cf. Ferran de Sagarra i de Siscar, 'Pròleg', *Sigil·lografia catalana: Inventari, descripció i estudi dels segells de Catalunya*, 5 vols (Barcelona: Henrich i C^a, 1916), I, p. XX.

¹⁰ A very clear example of this in: Ferran de Sagarra i de Siscar, 'La devoció a la Sagrada Eucaristia a Catalunya, llavors de l'alçament patriòtic de 1640' (Barcelona: Lo Missatger del Sagrat Cor, 1935).

¹¹ Ferran de Sagarra i de Siscar, *Discurs llegit en lo Centamen Catalanista de la Joventut catòlica de Barcelona* (Barcelona: 'La Hormiga de oro', 1891).

¹² Ferran de Sagarra i de Siscar, *Una oració catalana del segle XIV* (Barcelona: Tip. Casa de la Caritat, 1913).

the devotion to Saint Thérèse of the Child Jesus.¹³ Paradoxically, at the end of his life, he had to go into exile because of his religious beliefs and practices, and he could return to Catalonia because of his Catalan Republican feelings. Sagarra had been likewise the most powerful man of work in many ways. At the death of Sagarra an Obituary was published in the Issue No. 1 of the *Revista de Catalunya* (in exile): 'By family background he was a young militant of Traditionalism and by the time he passed away he had turned his Catalan feelings into the Republican field.'¹⁴

The Republican Sagarra: Urban Seals as the Institutional Patterns of Government

Generally speaking, Carlist ideas were partly and openly shared with other forces on the political spectrum.¹⁵ The more conservative, Catholic (or Christian-democratic) wings of the various nationalist and regionalist movements throughout Spain claimed an indirect influence from Carlism, particularly relating to privileges and regional self-government. The movement was at its strongest in the 1830s but had a revival following Spain's defeat in the Spanish-American War in 1898, when Spain lost its last remaining significant overseas territories, Cuba, Puerto Rico and the Philippines.¹⁶

In 1901 the *Regionalist League* was founded by the politician Enric Prat de la Riba¹⁷ as a right wing political party of Catalonia, with a mix of Catalanist, conservative, and monarchic ideology. In 1906 the *Catalan Solidarity*¹⁸ emerged as a coalition of Catalan parties partly due to the promulgation of the *Law of Jurisdictions* (1905–1906) after the *Cu-Cut!* incident

¹³ Ferran de Sagarra i de Siscar, *Pluja de roses: missió providencial de Santa Teresa de Jesús Infant* (Barcelona: Foment de Pietat 1933).

¹⁴ 'Ferran de Sagarra i de Siscar', in *Revista de Catalunya* (París), any XI, núm. 94, IV època, núm. 1 (desembre 1939): 88.

¹⁵ Martin Blinkhorn, *Carlism and crisis in Spain, 1931–1939*. (Cambridge-Mass.: Cambridge University Press, 1975), p. 32.

¹⁶ Octavio Ruiz, 'Spain on the threshold of a new century: Society and politics before and after the disaster of 1898', in *Mediterranean Historical Review* 13, no. 1–2 (1998), pp. 7–27.

¹⁷ See, for example: José Antonio González Casanova, 'Cataluña en la crisis contemporánea del Estado español', in Manuel Tuñón de Lara, *La crisis del Estado Español 1898–1936: VIII Coloquio de Pau* (Madrid: Editorial Cuadernos para el Diálogo, 1978), p. 56.

¹⁸ Joan Lluís Marfany, 'Catalanistes i lerrouxistes', in *Recerques: història, economia, cultura* 29 (1994), pp. 41–60.

in November 1905.¹⁹ This unitarian party was created out of the union of the *Regionalist League*, the Nationalist Republicans, the federal Republicans and the Carlists. Prat de la Riba had served as a secretary of the assembly in charge of writing the draft for a regional constitution known as *Bases de Manresa* in 1892, the first step towards the development of the *Catalan Statute of Autonomy*. He was also known as the author of the Noucentista Catalan nationalist manifesto *La Nacionalitat Catalana* in 1906. At this point, Ferran de Sagarra had not yet come to his deep Catalanist feelings in place of his original Carlist ideas.²⁰ In his notes describing the seal of Ermesinde of Carcassonne (975–1058) (fig. 2),²¹ he speaks of the legitimization of the Catalan noble lineages in the context of ‘other’ ancient European monarchies like the Frankish or German.²²

By this time, he had already compiled many historical documents²³ and published on the Municipal Government of Canet de Mar (1885).²⁴ In 1890 Sagarra had also gathered one thousand medieval seal-casts and almost ten thousand Municipal Corporation stamped seals.²⁵ Three years later he

¹⁹ The *Cu-Cut!* incidents happened on the 25th of November 1905 in the city of Barcelona. Within a climate of tension between the electoral success of the Nationalist Catalan Party *Lliga Regionalista* and the will of the Liberal Parties of Madrid to promulgate the Jurisdictions Law, the satiric magazine *Cu-Cut!* Published a joke concerning the contrast between the electoral success of the *Lliga* and the recent defeats of the Military tropes who reacted against in assaulting the *Cu-Cut!* magazine and *La Veu de Catalunya* premises. As a reaction to this, the Jurisdiction Laws were promulgated forbidding the expression freedom in some press publications. The rejection to this law was strongly Catalanist and empowered many people’s commitment in the struggle for the rights of Catalonia. Joaquín Romero-Maura, *The Spanish Army and Catalonia: The ‘Cu-cut! Incident’ and the Law of Jurisdictions, 1905–1906* (London: Sage Publications, 1976); María del Socorro Arroyo, ‘Política y periodismo: la caricatura del Cu-Cut! desencadenante de la ley de jurisdicciones’, in *Documentación de las Ciencias de la Información* 13 (1990), pp. 11–22.

²⁰ Sagarra, *Memòries*, I, p. 276.

²¹ She was a noblewoman in southern France who became Countess consort of Barcelona, Girona and Osona.

²² BC Fons Sagarra Capsa 3, lligall 29.

²³ *Recull de còpies de documents referents al municipi de Canet de Mar* BC Ms. 3921.

²⁴ Ferran de Sagarra i de Siscar, ‘Apuntes sobre el régimen municipal de la villa de Canet de Mar (Cataluña) durante el siglo XVII’ in *La Hormiga de Oro*, II, 11 i 14 (1885), pp. 167–171 and 212–214.

²⁵ Ferran Soldevila, *Ferran de Sagarra i de Siscar. Treball llegit en la sessió plenària de l’Institut del dia 12 de juny de 1954*. Typewritten document read by the author with occasion of the Centenary of the birth of Ferran de Sagarra. Unpublished Anuari of the Institut d’Estudis Catalans of the year 1955, fol. 6. Quoted in: Serra, *Ferran de Sagarra*, p. 6, note 4.

published his study on the seal of Saint Bernat Calbó (1180–1243), bishop of Vic, jurist, bureaucrat, soldier, and Cistercian monk.²⁶ In 1921 he analysed the seal of Sant Vicens de Sarrià, a little village near the city of Barcelona²⁷ and in 1927 he wrote on the seal of the Court of Sabadell²⁸ presented by the Queen Elianor of Sicily.²⁹

Very possibly, his interest in the seals of Catalan Municipalities reflected Sagarra's ideological turn from a Centralist political mentality (Carlism) towards a more Republican Federalist conception. Sagarra thought in terms of autonomic Municipal governments like the emerging Italian city-states. When, in 1895, he read the *Mélanges d'archéologie byzantine* by Gustave Schlumberger,³⁰ he wrote: 'Schlumberger writes about the huge historical importance and utility that the study of the seals of the Byzantine period would provide, from the historical and archaeological perspective'³¹ (fig. 3). In addition to this, in his personal notes he underlined the particular interest of Byzantine urban seals, what he called 'Topographic Leads of Constantinople [...] that are called to enrich her still obscure Municipal history' (fig. 4).³²

The lead seal of Constantine IX Monomachos (1042–1055) exemplifies (fig. 5) what Sagarra had in mind when he studied the work of Schlumberger.

²⁶ Ferran de Sagarra i de Siscar, *El segell de S. Bernat Calbó: Bisbe de Vich* (Barcelona: Est. Tipogràfic E. Plana, 1893).

²⁷ Ferran de Sagarra i de Siscar, *Sant Vicens de Sarrià: dades i clarícies referents a la història d'aquesta vila i parròquia* (Barcelona: Imprenta de Francesc X. Altés i Alabart 1921).

²⁸ Ferran de Sagarra i de Siscar, 'Segell de la cúria o cort de la vila de Sabadell per la reina dona Elianor de Sicília', in *Butlletí del Centre Excursionista Sabadell*, vol. I (1927), pp. 16, 17 and 18.

²⁹ Eleanor of Sicily (1325–1375) was Queen Consort of Aragon (1349–1375). The daughter of Peter II of Sicily and Elisabeth of Carinthia, and the third wife of Peter IV of Aragon.

³⁰ Gustave L. Schlumberger, *Mélanges d'archéologie Byzantine: Monnaies, médailles, méreaux, jetons, amulettes, bulles d'or et de plomb, poids de verre et de bronze, ivoires, objets d'orfèvrerie, bagues, reliquaires, etc.* (Paris: E. Leroux, 1895).

³¹ Ferran de Sagarra, Ms 'Apuntes y datos para un tratado de Sigilografía Catalana', 1894. BC Fons Sagarra, w. p.

³² *Topográficos: Una clase muy curiosa de sellos, completamente ignorada otro tiempo, y hoy día más y más numerosa, interesa más especialmente la historia misma de la capital. Se les podría designar con el nombre de plomos Topográficos de Constantinopla. Estos son todos los que pertenecen a los funcionarios de palacios, de iglesias, de conventos, de hospitales, de otros edificios civiles, militares o piadosos de la capital, y en los cuales están inscritos los nombres cuasi (sic) siempre históricos, a menudo célebres, de estos monumentos. Puede concebirse de cuantas indicaciones el examen atento de esta clase de sellos puede enriquecer la historia municipal, muy oscura aún, de la Constantinopla de la Edad Media* Ferran de Sagarra, Ms 'Apuntes y datos para un tratado de Sigilografía Catalana', 1894. BC Fons Sagarra, w. p.

This emperor ruled over a brilliant court and patronized a collection of learned men, poets, lawyers, philosophers, and historians. In 1045, he re-founded the University of Constantinople, opened the Senate to merchants, and was lavish in his support both of monasteries and of his mistress, Maria Skleraina. As with the seals of Romanos III and Michael IV, those of Constantine IX maintain the bust of Christ with the 'Emmanuel' inscription on the obverse. The emperor is shown wearing a *loros* and crown, and holding a *globus cruciger* and a cruciform sceptre. In different inscriptions Constantine is either identified as *basileus Romaion* (emperor of the Romans), *autokrator* (sole ruler), or *autokrator augustus Romaion* (sole ruler and augustus of the Romans).³³

Sagarra knew that since very early in the Italian Peninsula some basic and sporadic civic institutions were thought compatible with other rights *de facto*, although we have records of some collective complaints against the constituted authority before the ninth century: the *conspiratio populi* by the citizens of Modena in 981, in Turin or Cremona in 924. Later on, in the tenth century more civic activity occurred, in the form of border disputes over diocesan frontiers that involved town populations (i.e. Bologna and Modena in 969), leading some cautious bishops to approve new monastic houses like the one in Treviso in 997. Some initial diplomatic policies were enacted by 894 in Treviso, although no vestiges of significant standing municipal activity remain, apart from *boni homines*, often members of the bishop's 'court'.³⁴

The beginning of independence was noted in the twelfth century by the German chronicler Otto, Bishop of Freising ('they are governed by the will of consuls rather than rulers')³⁵ and by a Jewish traveller, Benjamin of Tudela ('They possess neither king nor prince to govern them, but only the judges appointed by themselves')³⁶ was essentially that of communities continuously exercising the power to appoint their own political officials. When the earliest form of this authority, the consulate, had come into being, in the

³³ John W. Nesbitt, *Catalogue of Byzantine seals at Dumbarton Oaks and in the Fogg Museum of Art*, 6 vols Washington DC : Dumbarton Oaks, 2009), 6 Addenda, no. 73. 1; Georg Zacos and Alexander Vegler, *Byzantine Lead Seals*, 2 vols (Basel: J. J. Augustin, 1972), I, 79^a.

³⁴ Daniel Philip Waley, *The Italian city-republics* (London: Weidenfeld & Nicolson, 1969), pp. 12–13.

³⁵ Daniel Philip Waley and Dean Trevor, *The Italian city republics* (London: Routledge, 2013).

³⁶ Monumenta Germaniae Historica, XX, p. 396. See also: *The Itinerary of Benjamin of Tudela*, ed. M. N. Adler (London: 1907), p. 5.

late eleventh and early twelfth centuries, the commune or city-republic was present.

A good example of topographic seals similar to the leads of Constantinople is the obverse of the bronze seal-matrix of the town seal of Boppard-on-Rhine (1236–1300) (Fig. 6). The seal of Boppard is a masterpiece of engraving with a representation of the city's cathedral. It shows a church with two gabled towers on the left, round windows and arcades surrounded by a wall. Each church tower is surmounted by a cross. Brickwork on one of the towers (the second is partly hidden). The chancel is lower than the nave. Imbrications on the roof of the building and a ridge of intersecting semi-circles. Perched on the roof is a magnificent eagle with spread wings. St Severus, the patron saint, stands in the gateway. The surrounding wall is embattled with bastions and a portal with a round doorway in which stands the figure of St Severus robed and haloed. The inscription in legend within the borders and interior inscription below the arcade of the clerestory is a manifesto of a Republican mentality: Free and private Boppard, city of the Roman Empire. Saint Sever (+ BOPARDIA . LIBERV . ET : SPETIALE : OPIDVM . ROMANI . IMPERII . S [ANCTUS] SEVERUS).³⁷

The city was a magnet, exercising strong powers of economic attraction throughout the countryside, and urban land came to be valued at twenty or thirty times more than in the country.³⁸ Sagarra's publication on the Municipality of Canet de Mar seems to suggest a sort of parallelism: 'The development of our Municipal governments, from the formation of municipalities through the Settlement-Privileges up to the destruction of our charters and franchises by the King Philip V, constitutes a brilliant page of Catalan history'.³⁹

Sigillography 'in contact' with Political Theology

Together with the growth of Ferran de Sagarra's interest in the study of Municipal seals as early historical conceptions of the political notion of Catalonia as a nation, we have to consider a second postulate. *It is possible that the study of seals are meant to develop a very specific political theology.* Every seal matrix

³⁷ Noël Adams, John Cherry and James Robinson (eds), *Good Impressions: Image and Authority in Medieval Seals* (London: The British Museum, 2008), no. 11. 1.

³⁸ Lauro Martines, *Power and imagination: city-states in Renaissance Italy* (London: Allen Lane, 1980), p. 9.

³⁹ Sagarra y de Siscar, 'Apuntes sobre el régimen municipal', *passim*.

imprints on wax a kind of 'character' or 'permanence' because of the enactment of a *real physical contact* between the archetypal image (matrix of the seal) and a *specific political mechanism of control* over men and things (the seal itself in wax, lead or whatever imprinted materials that validate the written word). In this sense, there might be a direct relationship between sigillography and political theology, especially during the Middle Ages.

There is an essentially political theology in Ferran de Sagarra's *Catalan Sigillography* because the seal is never for him a simple physical device of political power. They are the physical instruments for transmission of an earthly and likewise heavenly-established authority from the matrix of the seal into the imprinted-wax attached to legitimate documents whether those were royal, ecclesiastical, municipal or personal. Certainly, in his work, different conceptions of political theology might be admitted.

Sagarra might have agreed with Karl Schmitt's notion that 'sovereign is he who decides on the exception,' understanding 'exception' as the appropriate moment for stepping outside the rule of law when in required by public interest. Especially in Sagarra's thought previous to Enric Prat de la Riba's political conceptions (c. 1906)⁴⁰ he might have well admitted that 'all significant concepts of the modern theory of the state are secularized theological concepts.'⁴¹ We can argue that point, despite the consideration that Sagarra's political development (from Monarchic to Republican) was exactly the opposite of Schmitt's transformation from pre-World War I defender of the Weimar state to the self-appointed political theorist of the Third Reich between 1933 and 1936.

The first edition of the German historian Ernst Kantorowicz's *The King's Two Bodies* (1957)⁴² was published some time after Sagarra's death. But he also might have well agreed with the words of the German historian: 'The emperor's mediatorship is expressed "liturgically", that is, by the *epiklesis*

⁴⁰ Enric Prat de la Riba, *La nacionalitat catalana* (Barcelona: L'Anuari de la Exportació, 1906).

⁴¹ Carl Schmitt, *Politische Theologie: Vier Kapitel zur Lehre von der Souveränität* (Munich/Leipzig: Duncker & Humblot, 1922); in part identical is Schmitt, 'Soziologie des Souveränitätsbegriffes und politische Theologie' in *Erinnerungsgabe für Max Weber* (Munich/Leipzig: Duncker & Humblot, 1923). Meanwhile Schmitt published *Politische Theologie II: Die Legende von der Erledigung jeder politischen Theologie* (Berlin: Duncker & Humblot, 1970); Carl Schmitt, *Political Theology* (trans. George Schwab, *Studies in Contemporary German Social Thought* (Cambridge: MIT Press, 1984).

⁴² Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton, NJ: Princeton University Press, 1957).

of the Spirit. [...] The emperor is mediator and executor of the divine will through the power of the Holy Spirit, and not through the secular spirit of legal science.⁴³ At the same time, Sagarra's second part life clearly connected with the romantic and nationalistic character of Kantorowicz's book *Frederick II* (1927)⁴⁴ where he postulated (with *imagination créatrice*) the emperor in the very 'iconic' terms of the veritable Caesar of the high Middle Ages.⁴⁵ In his personal notes we see that Sagarra was very impressed by the seals of great monarchs (fig. 7) like Henry I King of Franks (1035) and the Anglo-Saxon King Edward the Confessor (1043–1066) to whom he put in chronological parallel with the Kings of Aragon (fig. 8).⁴⁶

Sigillography means medieval political theology because there is corporeal contact in it.⁴⁷ In sigillography, the likeness is produced by contact, not by the 'optical distance' between the original (human face) and the artistic portrait. There are other examples of how political theology is produced by contact. The feudal commendation ceremonies were produced by contact,⁴⁸ the king's anointings need contact too,⁴⁹ the Sacraments – also with their political dimensions – are efficient because of contact.⁵⁰ There is a special relationship between Medieval Political Theology and physical contact. Sigillography is one particular case of this semiotic (but also ontological and symbolic) exchange between the *King's Two Bodies*.

⁴³ Kantorowicz, *The King's*, pp. 114–115.

⁴⁴ Ernst H. Kantorowicz, *Kaiser Friedrich der Zweite* (Berlin: G. Bondi, 1927). See also the E. O. Lorimer's 'authorised English version', *Frederick the Second, 1194–1250* (New York: Constable & Company Limited, 1931).

⁴⁵ Cf. David Abulafia, 'Kantorowicz and Frederick II', in *History* LXII (1977), pp. 193–210, provides a full exposition of the work and an appreciation of its enduring influence in the scholarly world fifty years after its publication; see p. 193–5 for the close relationship between some George poems and themes in Kantorowicz's book.

⁴⁶ BC Fons Sagarra Capsa 3, lligall 29

⁴⁷ Georges Didi-Huberman, *La ressemblance par contact. Archéologie, anachronisme et modernité de l'empreinte* (Paris: Minuit, 2008).

⁴⁸ Susan Reynolds, *Fiefs and Vassals: the medieval evidence reinterpreted* (Oxford: Oxford University Press on Demand, 1996), p. 19 and the wonderful book Walther Kienast, *Die fränkische Vasallität: von den Hausmeiern bis zu Ludwig dem Kind und Karl dem Einfältigen*. (Frankfurt: Vittorio Klostermann, 1990), p. 48.

⁴⁹ Sergio Bertelli, *The king's body: sacred rituals of power in medieval and early modern Europe*. (Pennsylvania: Penn State Press, 2003), p. 27.

⁵⁰ Louis-Marie Chauvet, *The sacraments: The word of God at the mercy of the body*. (Collegeville-MN: Liturgical Press, 2001), p. 114.

Needless to say, the Middle Ages incorporated a system of signs, as many scholars have pointed out since Alois Riegl, Erwin Panofsky, Hubert Damisch and others.⁵¹ It can be said that the semiotic perspective has long been present in art history: the work of Riegl and Panofsky are congenial to the basic tenets of Peirce and Saussure,⁵² and key texts of Meyer Schapiro deal directly with issues in visual semiotics.⁵³ At the same time, we have developed the analysis of medieval texts as historical phenomena, and the promotion of a socio-historical semiotics from phenomenology and hermeneutics.⁵⁴ However, we must always remember that seals do not cease to be visual, physical and historical.

The core of semiotic theory is the definition of the factors involved in the medieval permanent process of signmaking and interpreting. Sigillography is one such arena, and semiotics clearly has something to contribute to the study of seals. Brigitte Bedos-Rezak has drawn attention to the significance of the seal metaphor in Byzantine theology and investigated, with particular reference to seals, the notion of *imago* in Byzantine theology and in pre-scholastic France.⁵⁵ Since patristic times, character had meant a seal (a

⁵¹ Jonathan D. Evans, 'Medieval studies and semiotics: Perspectives on research', in *Semiotica* 63, no. 1–2 (1987), pp. 13–32.

⁵² See Christine Hasenmueller, 'Panofsky, Iconography, and Semiotics', in *Journal of Aesthetics and Art Criticism*, xxxvI, 1978, p. 289–301; Margaret Iversen, 'Style as Structure: Alois Riegl's Historiography', in *Art History*, II, 1979, p. 66–67; and Michael Ann Holly, *Panofsky and the Foundations of Art History* (Ithaca: Cornell University Press, 1984), p. 42–45. The semiotic nature of an apparently 'natural' device like linear perspective is masterfully demonstrated in Hubert Damisch's seminal study, *L'Origine de la perspective* (Paris: Flammarion, 1988).

⁵³ See Meyer Schapiro, 'On Some Problems in the Semiotics of Visual Art: Field and Vehicle in Image-Signs', in *Semiotica*, I, 1969, p. 223–242. This and the previous note references are coming from: Mieke Bal and Norman Bryson, 'Semiotics and Art History', in: *Art Bulletin* 73, no. 2 (1991), p. 174, notes 2–3.

⁵⁴ Cf. Peter Haidu, 'The Semiotics of Alterity: A Comparison with Hermeneutics', in *New literary history* 21, no. 3 (1990), pp. 671 and 687

⁵⁵ Brigitte Miriam Bedos-Rezak, 'Replica: Images of Identity and the Identity of Images', in Jeffrey F. and Hamburger and Anne-Marie Bouché (eds), *The Mind's Eye. Art and Theological Argument in the Medieval West* (Princeton: Princeton University Press, 2006), p. 46–64. See also: Brigitte Miriam Bedos-Rezak, 'Medieval Identity: A Sign and a Concept', in *American Historical Review*, 105/5 (2000), p. 1489–533; eadem, 'Introduction: Les marqueurs de l'individuation', in Brigitte Miriam Bedos-Rezak and Dominique Iogna-Prat, *L'individu au moyen âge*, p. 33–57; eadem, 'Replica: Images of Identity and the Identity of Images in Prescholastic France', in Hamburger and Bouché, *The Mind's Eye*, p. 46–64, esp. p. 51–56; and Caroline Walker Bynum, 'Did the Twelfth Century Discover the Individual?' in *Journal of Ecclesiastical History*, 31 (1980), pp. 1–17; repr. and revised in *Jesus as Mother: Studies in the*

signaculum) that labelled a thing with its programmatic purpose, as a coin is identified by its character as suitable for transactions, or a soldier in late imperial Rome was marked in his flesh so as to be linked to a specific military unit.⁵⁶ It was, however, only during the twelfth century that the term character entered the field of sacramental theology, to designate the foundational imprint made on the Christian by baptism, and by those other sacraments – confirmation and ordination – which, once applied to an individual, marked him indelibly for the service of God. Character, in this sense, once impressed, was an absolute certainty.⁵⁷

The study of the *typos/sphragis* concept, typical of medieval sealing processes, is not new. It has been explored most prominently by Herbert Kessler in connection with the *acheiropoietos* of Christ (a miraculous image not made by human hands): the imprint (*typos*) of the Holy Face on a material surface.⁵⁸ This thaumaturgic object is allegedly the product of a single imprint of the divine form and essence. It is created like a coin or seal. Christ's body functions like an intaglio impressed on the material surface. As an extension of the divine form, which bears the divine touch, the *acheiropoietos* participates in the essence. The sacred body leaves a physical imprint.

The ideas concerning men as an imprinted image of God were more developed in the twelfth century and were associated with schoolmen who engaged in anthropological theology and focused their exegesis on the biblical text (Genesis 1:26–27) according to which man was created in the image and likeness of God.⁵⁹ Such metaphors assert that man is a seal impression,

Spirituality of the High Middle Ages (Berkeley: University of California Press, 1982), p. 82–109. For this bibliography, cf. Thomas Dale, 'Romanesque Sculpted Portraits: Convention, Vision, and Real Presence', in *Gesta* (2007), p. 112, note 93.

⁵⁶ Nicholas M. Häring, 'St. Augustine's Use of the Word Character', *Mediaeval Studies* 14 (1952), pp. 79–97.

⁵⁷ Häring, 'St. Augustine's Use', pp. 14, 79, 96–7. For a semiotic approach to sacramental theology, see Irène Rosier-Catach, *La parole efficace: signe, rituel, sacré* (Paris: Seuil, 2004).

⁵⁸ Herbert Kessler, 'Configuring the Invisible by Copying the Holy Face', in *The Holy Face and the Paradox of Representation*, ed. Kessler and Gerhard Wolf, Villa Spelman Colloquia, 6 (Bologna: Nuovo Alfa, 1998), pp. 129–51, reprinted in Kessler, *Spiritual Seeing: Picturing God's Invisibility in Medieval Art* (Philadelphia: University of Pennsylvania Press, 2000), pp. 64–87.

⁵⁹ The fundamental work on the creation of man in the image of God is by Robert Javelet, *Image et ressemblance au douzième siècle: de saint Anselme à Alain de Lille*, 2 vols (Paris: Letouzey et Ané, 1967). For additional insights, see David N. Bell, *The image and likeness: The Augustinian spirituality of William of St Thierry*. (Kalamazoo: Cistercian Publications, 1984); Gerhart Burian Ladner, Ad Imaginem Dei: *The Image of Man in Medieval Art*. Vol. 16.

imprinted by God's image, that is, by Christ. However, man degraded by original sin could not himself be an image of God but was a being whose matter has been marked by and thus only partially retained the stamp of God's creative touch. Consonant with the imprint of God's creation of man was the revivifying imprinting conferred by the salvific seal of baptism. This is where the use of the term *character* in twelfth-century diplomatic discourse acquired additional significance.⁶⁰ The power of the seal was thus derived and affirmed through its analogy with the god-sanctioned act of imprinting, which incorporated presence and transmitted properties. Central to the seal's efficacy, then, was the traceable action and presence of its user.

The twelfth-century seal, after all, bore the icon of its owner; it registered social status and might even be realistic with respect to emblems and function. Yet, the images on seals were stereotypic. They sorted and classified by socio-functional categories, by kin, demonstrating the extent to which the formulation of identity involved the imposition of categories.⁶¹ So questions arose about the nature of this image which the authors of the charters proclaimed textually as 'my image'.⁶² The topos of the *imago impressa*, the imprinted image was ubiquitous in pre-scholastic writings. Romanesque portraits can

(Latrobe: Archabbey Press, 1965); and John E. Sullivan, *The image of god: the doctrine of St. Augustine and its influence*. (Dubuque, Iowa: Priory Press, 1963). The texts of medieval seal metaphors are given and analysed in Bedos-Rezak, 'Medieval Identity', pp. 1489–1533.

⁶⁰ Benoît Grévin and Julien Véronèse, 'Les 'caractères' magiques au Moyen Âge (XII^e-XIV^e siècle)'. *Bibliothèque de l'Ecole des Chartes* 162, no. 2 (2004), pp. 162, 305–379, 356–7. On the vast semantic range of the term character throughout the western Middle Ages, see Nicholas M. Häring, 'Character, Signum und Signaculum. Die Entwicklung bis nach der karolingischen Renaissance', in *Scholastik*, 30 (1955), p. 481–512 and Nicholas M. Häring, 'Character, Signum und Signaculum. Der Weg von Petrus Damiani bis zur eigentlichen Aufnahme in die Sakramentenlehre im 12. Jahrhundert', in *Scholastik* 31 (1956), pp. 41–69. Nicholas M. Häring, 'St. Augustine's Use of the Word Character', *Mediaeval Studies* 14 (1952), pp. 79–97, 79, 96–7. For a semiotic approach to sacramental theology, see Rosier-Catach, *La parole efficace*.

⁶¹ Pierre Bourdieu, *Language and Symbolic Power* (Cambridge: Harvard University Press 1991), p. 224

⁶² Cartulaire de l'abbaye Saint Corneille, no. 180, 280 (c. 1189). *Recueil des chartes et documents de Saint Martin des Champs*, vol. II, 206–7, no. 15 (1148–49): *imagine nostre impressione et probabiliū personarum intitutione eam [seriem] corroborari fecimus*. Corroboration formulas 53h, and 63n, with this particular turn of phrase: *Ne vero pretaxata temporalis valeat obliterare prolixitas, aut odibilis infirmare presumat iniquitas, apicibus annotare et sigilli mei impressione subimarginare curavi*.

also be understood as embodying the presence of the individual through the practice and theology of sealing.⁶³

In one of his personal notes, Ferran de Sagarra records the description of the seal of the King Peter the Cerimonious,⁶⁴ one of the greatest medieval Aragonese monarchs (fig. 9). This seal was hanging in a document dated in Càller⁶⁵ on 19 June 1355.⁶⁶ On the obverse of this seal there are two interesting Biblical references direct or indirectly focusing on political theology: ‘Love righteousness, ye that be judges of the earth’ (*diligite iustitiam qui iudicatis terram*, Sap. 1,1) believed to be written by King Solomon. This is the pattern of kingship that Kantorowicz calls *Theomimesis* (imitation of the Old Testament God) or *Regnum Davidicum*, where the King has been anointed by the Priest, and received the power from Above (fig. 10).⁶⁷ Since the Carolingian period large numbers of *Versus ad regem suscipiendum*, containing explicit allusions to the King Solomon have been transmitted: ‘*Rex tuus mitis, sapiens, honorus, / Pacifer ductor Salemonis instar / Nunc venit Caesar, tuus, alma, princeps, / Filia Sion[...]*’, writes Sedulius as the type of chant sung at the royal or imperial receptions. Sometimes the prince would

⁶³ Dale, ‘Romanesque’, pp. 101–119.

⁶⁴ Peter IV called el Cerimoniós (Catalan for “the Ceremonious”) or el del punyalel (Catalan for “the one of the little dagger”), was the King of Aragon, King of Sardinia and Corsica (as Peter I), King of Valencia (as Peter II), and Count of Barcelona (and the rest of the Principality of Catalonia as Peter III) from 1336 until his death.

⁶⁵ During the fourteenth century, the Crown of Aragon conquered Cagliari (Castel di Castro) after a battle against the Pisans. When Sardinia was finally conquered by the Catalan-Aragonese army, Cagliari (Castel de Càller or simply Càller in Catalan) became the administrative capital of the newborn Kingdom of Sardinia, one of the many kingdoms forming the Crown of Aragon. Cf. Robert J. Rowland, *The periphery in the center: Sardinia in the ancient and medieval worlds*. Vol. 970. (London: British Archaeological Reports Ltd, 2001).

⁶⁶ ‘*Sigillo cere rubre appendicio in cordulis cirici regalibus comunita, cuiusquidem sigilli altera parte sculpta erat ymagi principis sedentis in solio, tenentis in manu dextra ceptrum et in sinistra pilam cum cruce desuper. Altera vero parte ipsius sigili sculpta erat imago principis equitantis muniti in manu vero dextera ense gestabat et in sinistra clipeum signi Regalis cum capite galeato in circumferencia alterius partis ipsius sigilli littere legebantur Petrus dei gra Rex Aragonum Valenc Maioric Sardin et Corsice comesque barcinone Rossilionis et Ceritam. In alterius vero partis circumferencia littere legebantur diligite justiciam qui iudicatis terram et oculi nostri (sic) videant equitatem*’. Arxiu General del regne de Mallorca-Llibre de Francesc Lagarriga, governador del regne del any 1381.

⁶⁷ Biblia Sancti Petri Rodensis, Bibliothèque nationale de France, Département des manuscrits, Latin 6 (2), 901–1100, fol. 129v.

be compared to Solomon⁶⁸ or his *Adventus* would be hailed as the dawn of a new Golden Age: 'peace and happiness are to rule, fertility is to be his companion, spring is to return anon that the arid pastures may cover themselves with new verdure and the meadows with flowers.'⁶⁹ In this way the imagery of Christ's Entry into Jerusalem, in itself moulded after the imperial model, begins to shape the *Adventus* of the Christian monarchs⁷⁰

On this same seal, there appears to be a quote from Pope Urban II: 'in such a way that our judgement comes from his face and our eyes can see justice' (*ut de vultu eius iudicium nostrum prodeat et oculi vestri videam equitatem*).⁷¹ As a trained Carolingian exegete, Urban continued the work of his ninth-century predecessors, calling the Christian people (*populus christianus*) to mend their ways and strike back against the pagans, so that God would turn His hand and allow the Christians to reconquer the Mediterranean world.⁷² Urban II's program of bringing Campania and Sicily firmly into the Catholic sphere after generations of control under the Byzantine Empire and the Aghlabid and Fatimid emirs; he was also the Pope who preached at Clermont in 1095 encouraging the First Crusade.⁷³ In 1262, Peter the Great had married Constance, heiress of Manfred, the Hohenstaufen king of Sicily; and after the revolt of the Sicilians in 1282 he invaded the island and was proclaimed king at Palermo, despite strong Guelph and papal opposition. The commented inscription on his seal quotes a phrase from Pope Urban II who, possibly with the King, was mirroring in the different war campaigns he had to face.⁷⁴

⁶⁸ Entries of Solomon are rare on the whole; see, however, Wilhelm Neuss, *Die katalanischen Bibelillustrationen und die Wende des ersten Jahrtausends und die altspanische Buchmalerei* (Bonn and Leipzig: Schroeder, 1922), pl. X, fig. 26, and pp. 24, 78.

⁶⁹ Sedulius (*Monumenta Germaniae historica, Poetae*, III, p. 217).

⁷⁰ Ernst H. Kantorowicz, 'The King's Advent': And The Enigmatic Panels in the Doors of Santa Sabina', in *Art Bulletin* (1944), pp. 210, 216

⁷¹ PL 151, 312. Quoted in: Inos Biffi, *Anselmo d'Aosta e dintorni: Lanfranco, Guitmondo, Urbano II.* (Milano: Editoriale Jaca Book, 2007), II, p. 427.

⁷² Cf. Matthew Gabriele, 'The Last Carolingian Exegete: Pope Urban II, the Weight of Tradition, and Christian Reconquest', in *Church History* 81, no. 4 (2012).

⁷³ Herbert E. J. Cowdrey, 'The genesis of the crusades: The springs of western ideas of holy war', in *The holy war* (1976), p. 11.

⁷⁴ On his interest on the conversion of Islam to Christianity, see the translations of the Koran promoter by the King Peter III of Aragon in parallel with the promotion of the Pope Urban II of the First Crusade in: Robert I. Burns, 'Christian-Islamic confrontation in the West: the thirteenth-century dream of conversion', in *The American Historical Review* (1971): 1389–90.

The inscription on the seal of the King Peter the Great is very occularcentric in the sense pointed by Vasco Ronchi in his distinction between the medieval sense of the words *lux* and *lumen*. Ancient theories of light were revived by medieval writers like Robert Grosseteste and modern ones like Descartes, which distinguished between visible *lux* and invisible *lumen*. The former normally meant the phenomenon of light experienced by the human eye, light, that is, with colour and shadow. The latter signified the physical movement of light waves or corpuscles through transparent bodies that occurred whether perceived or not. While this dichotomy was construed, its confusions finally led to its replacement by one word *luce* meaning light *per se*.⁷⁵

In interpreting the seal of King Peter's inscriptions, the light must come from the face of God so that we can see with our own eyes (*ut de vultu eius iudicium nostrum prodeat et oculi vestri videam equitatem*). We also find indications of a political theology in references to the hierarchical relationship between *lux* and *lumen*. Echoes of the old Platonic distinction between *eternal forms or ideas* and their *imperfect resemblances in the world* of human perception are noted in the privileging of divine radiation or natural optics in the mind of the viewer over mere perception.⁷⁶

Very retinian, if we consider that one of the most powerful sources of occularcentrism in the West was precisely this conception of the dual nature of light. For if one of its models was discredited, it was always possible to fall back on the other as grounds for certainty. Thus, for example, the Platonic denigration of the senses could draw on the power of internal vision with 'the third eye,' as it were, as a way to the truth. Here *lumen* was understood as superior to *lux*. The crisis of occularcentrism occurred precisely when it was no longer acceptable to oscillate between these two models or to assume a necessary hierarchy between them. In religious terms, the shift involved an abandonment of the metaphysics of divine radiation.⁷⁷ Of course medieval political theology has to do with Platonic idealism. Ernst Kantorowicz him-

⁷⁵ Vasco Ronchi, *Optics: The Science of Vision*, translated by Edward Rosen (New York: New York University Press, 1957); David C. Lindberg, *Theories of Vision from Al-Kindi to Kepler* (Chicago: University of Chicago Press, 1976).

⁷⁶ Martin Jay, 'The rise of hermeneutics and the crisis of ocularcentrism', in *Poetics Today* (1988), pp. 313–314

⁷⁷ Jay, 'The rise of hermeneutics', pp. 313–315 *passim*.

self also published on this.⁷⁸ But for now we need to continue with our third postulate on the relationship between sigillography and political theology.

Archaeology and Nation-Building in Catalan Sigillography

The association between the development of archaeology and nation-building was so obvious as to remain largely unquestioned throughout the nineteenth century and most of the twentieth century. The practice of archaeology and its institutional forms differed from state to state, in part because each state had its own specific history and time of national consolidation; the nationalist significance accorded to archaeological data also varied according to the availability of historical records, the relative weighting of historical to archaeological sources, and the empirical contents of those records.⁷⁹

Nationalist archaeology in this sense can be equated with the cultural-historical approach and evaluated positively in the sense of the more systematic and complete tracing of temporal and spatial variations in the archaeological record than was often achieved, for example, by the more schematic unilinear evolutionary approaches of the late nineteenth and early twentieth centuries.⁸⁰

The creation of museums was followed by the professionalization of archaeologists, a term that significantly substituted that of antiquarians, and by the inclusion of archaeology in university and higher education curricula. The establishment of the *École des Chartes* in 1821, an institution that taught archaeology,⁸¹ was followed by the opening of similar institutions in other countries, such as the Spanish *Escuela de Diplomática* in 1856.⁸² Archaeology benefits from the critically reflexive recognition that its data are

⁷⁸ Ernst H. Kantorowicz, 'Plato in the Middle Ages', in *The Philosophical Review* (1942), pp. 312–323.

⁷⁹ Philip L. Kohl, 'Nationalism and archaeology: on the constructions of nations and the reconstructions of the remote past', in *Annual review of anthropology* 27, no. 1 (1998), p. 228.

⁸⁰ Ibid.

⁸¹ Alain Schnapp, 'French archaeology: between national identity and cultural identity' in Margarita Díaz-Andreu and Timothy Champion (eds), *Archaeology and Nationalism in Europe* (London: UCL Press, 1996), pp. 48–67.

⁸² Ignacio Peiró Martín and Gonzalo Vicente Pasamar Alzuria *La Escuela Superior de Diplomática (los archiveros en la historiografía española contemporánea)* (Madrid: Asociación Española de Archiveros, Bibliotecarios, Museólogos y Documentalistas, 1996). Margarita Díaz Andreu, 'Guest editor's introduction: Nationalism and archaeology', in *Nations and Nationalism* 7, no. 4 (2001), pp. 429–440.

inherently political: they are excavated and interpreted in a political context and are capable of being used for a variety of political purposes, including legitimizing nationalist programs.⁸³ A common nationalist reading of the past identifies the entities archaeologists define, particularly archaeological cultures, in terms of ethnicity related to nationality. Such identifications provide the nationality in question with a respectable pedigree extending back into the past, firmly rooted in the national territory; land and people are united.⁸⁴

On 11 October 1911, Ferran de Sagarra presented the Mayor of the city of Barcelona his work 'La sigilografia és una part importantíssima de l'arqueologia'. Fifteen typewritten volumes of his Sigillography were officially registered as his submission for the Martorell Prize in Spanish Archaeology.⁸⁵ A few days later, on the 20th, he delivered 'as complementary to the work Catalan Sigillography, a box containing different objects' (fig. 11).

In 1887, the Martorell Prize for Spanish Archaeology was awarded to Henri et Louis Siret, for their work *Les premiers âges du métal dans le Sud-Est de l'Espagne*, and an Accessit (10,000 pesetas) was given to Emile Hübnér for his *La Arqueología de España*. In 1892, the jury decided not to give the award but three Accessits instead: Rudolph Beer (5,000 pesetas): *Scriptorum Hispaniense Medii Aevi*, Louis Siret (5,000 pesetas): *L'Espagne préhistorique*, and Jorge Bonsor (1,000 pesetas): *Carte du Guadalquivir de Cordoue à Séville. Exploration archéologique des rives du fleuve en 1890*. In 1897 Josep Balari i Jovany was awarded for his *Orígenes històrics de Catalunya* and there were two Accessits for Antonio Elias de Molins: *Numismática Catalana*, and Jorge Bonsor: *Les colonies agricoles pré-romaines de la vallée du Betis*. The Prize of 1902 was delivered to Pierre Paris for his *Essai sur l'art et l'industrie de l'Espagne primitive*, and also an Accessit (5,000 pesetas) for the Catalan José Gudiol y Cunill and his *Nocions d'Arqueologia Sagrada Catalana*. In 1907, it was given to three works that share the total amount: José Puig y Cadafalch, Antonio de Falguera et José Goday Casals: *L'arquitectura romànica a Catalunya*. Joaquín Botet y Sisó: *Les Monedes Catalanes*, and Vicente Lamperez y Romea: *Historia de la Arquitectura cristiana española en la Edad*

⁸³ Kohl, 'Nationalism', p. 239.

⁸⁴ Ibid.

⁸⁵ Francesc Martorell i Peña (1822–1878) was a businessman passionate with archaeology. He had given to the City of Barcelona the sum of 125.000 pesetas whose accumulated interests had to be used every five years for prizing with 20.000 pesetas the Spanish or foreign author for his or her work dealing with Spanish archaeology.

Media. Sagarra himself recorded all these former awardees of the Prize in his notebook (fig. 12). The question now is to ask if in the decisions taken along these different Martorell Prize appointments were establishing specific relationships between Archaeology and Nationalism, and how this concerns Ferran de Sagarra.

Near the beginning of 1912, Sagarra had written in his own notes:

June 1911. Miret coincided with Janer and when the former told about my project of participating in the Martorell Competition, the later expressed ostensibly his disgust because this will create him a lot of trouble because he had committed beforehand with a guy of Madrid. In September they both coincided again and Janer persisted in his bad intention. (fig. 13 left side)⁸⁶

Luis Janer Servitja, an influential lawyer, was in 1892 appointed Chairman of the Section of Foreign Affairs of the Law Academy, Member of the Society of Astronomy of Barcelona (1912), member of the Board of the Society for Attraction of Foreigners (1930), Vice-Chairman of the Cercle del Liceu (the Opera Theatre of Barcelona) and since April 1924 Gentilhombre of the Chamber of His Majesty the King Alfonso XIII. This is what today we could call a 'Spanish nationalist.' On the other hand Joaquim Miret i Sans was one of the founders in 1907 of the Institut d'Estudis Catalans (the Official Academy for Catalan Studies) and well recognised because of his own studies on the Middle Ages. There was of course an open opposition between the two nationalisms that in this case concerned the relationship between archaeology and Spanish and Catalan national feelings.

Sagarra wrote another bitter complaint to Eduardo de Hinojosa y Naveros several months later. Hinojosa began his scholarly research with works on the archaeology of Spain during the Roman and Visigothic periods. He later studied Roman law and taught at the University of Madrid. His work was influenced by Theodor Mommsen and Numa Denis Fustel de Coulanges. After the turn of the century, he concentrated largely on the social history of medieval Spain, especially Catalonia. The teachings and writings of Professor Hinojosa were to be instrumental for the creation of the most important school of the history of Spanish law in the twentieth century. He carried out the arduous task of scientific and educational renewal of the university, and had eminent followers like Claudio Sánchez

⁸⁶ *Juny de 1911. En Miret ha vist a n'en Janer i el anunciar-li el meu projecte de prendre part al Concurs Martorell ha significat en un mode ostensible el seu disgust perquè això a n'ell li ocasionaria molts disgustos perquè estava compromès amb un senyor de Madrid. En setembre, tornà a veure'l en Miret i persistí en la seva mala volensa.*

Albornoz, José M^a Ramos Loscertales, and Galo Sánchez who carried on his teaching ideas.

This is the man to whom Sagarra wrote about the Jury's decision:

From the very moment I delivered the work to the Officer of the Mayor who performs as the Secretary of the (Martorell Prize) Jury, it was received with great disgust and visible annoyance as if there was a *parti pris* (bias) in favour of one another competitor in opposing so many difficulties to allow me the attachment of the graphic annexes containing more than two thousand original plaster-cast seals. I am afraid that this systematical opposition campaign and silent war will continue because it has been doubtless proven this bias in support of another competitor with attempts of influence on the minds of the Jury's gentlemen. (fig. 14–15)⁸⁷

In April 1912, the Jury decided to give the Martorell Prize to the work of both Enrique Aguilera y Gamboa, Marquis de Cerralbo, *Páginas de la Historia patria por mis excavaciones arqueológicas* (5 volumes) and Ferran de Sagarra i de Siscar *Sigillografia Catalana*. Sagarra had written in his notebook: 'I saw today the work of the Marquis. It is remarkably deficient' (Fig. 13 right side).⁸⁸ The work of Cerralbo was never published.⁸⁹

At the same time, Ferran de Sagarra received congratulations from many people. On 24 April 1912, Leonci Soler y March, a close friend and member of the *Unió Catalanista* and of the *Lliga Regionalista* Catalan nationalist parties⁹⁰ writes Sagarra from the Spanish Senate (fig. 16): 'Congratulations. Despite the victory has not been complete, the Jury of the Martorell Prize

⁸⁷ fol. 1v.: *Desde el momento en que se hizo entrega del trabajo (...) al oficial del Ayuntamiento (6/20.10.1911) que actua como secretario del Jurado, se recibió despectivamente, con gran disgusto y visible contrariedad fol. 2 como si existiese ya un parti pris a favor de otro concursante, oponiéndose muchas dificultades a que acompañara al manuscrito o texto la parte gráfica de la obra, o sea más de 2000 sellos originales (...) Esta campaña de oposición sistemática y de guerra sorda, ha seguido haciéndose y temo que seguirá, pues se ha comprobado de un modo indubitable lo del parti pris a favor de otro concursant, y se procura influir en el ánimo de los señores Jurados.* Carta de Ferran de Sagarra y de Siscar a D. Eduardo de Hinojosa, s/f.

⁸⁸ *He vist avui el treball del Marquès. És molt deficient.*

⁸⁹ 'Sin embargo, y dado que la monumental *Páginas de la Historia Patria...* nunca se publicó, conservándose sólo algunos manuscritos y tomos de láminas en los Museos Arqueológico Nacional y Cerralbo de Madrid (...)' Fernando Quesada Sanz, 'El gobierno del caballo montado en la Antigüedad clásica con especial referencia al caso de Iberia. Bocados, espuelas y la cuestión de la silla de montar, estribos y herraduras', in *Gladius* 25, no. 1 (2005), p. 118.

⁹⁰ Enric Prat de la Riba y Leonci Soler i March, *Correspondència inèdita (1899–1916)*. Martínez-Carné i Ascaso, Pilar (estudi preliminar i edició) (Manresa: Centre d'Estudis del Bages, 1991).

has done justice to your work, of exceptional archaeological importance, and immense value for the history of Catalonia.⁹¹

Conclusions

Ferran de Sagarra i de Siscar's *Catalan Sigillography* is a major contribution to an interdisciplinary study of history, and especially to the history of Medieval culture in Catalonia, Spain and Europe. The Prologue of this work shows for the first time to what extent the science and study of medieval seals is more than the object for a nineteenth-century antiquarianism mentality though furthermore 'By this means sigillography ceases to be of interest merely to the antiquarian and amateur, and becomes an important and fruitful branch of archaeology'.⁹² Medieval scholars have considered seals as authoritative means of documentary validation, as markers of identity, and as loci of artistic, spiritual, and ritual activities. This understanding of medieval seals and sealing practices assumes a general grammar instrumental in generating seal form, performance, and meaning. In this sense, the 'realism' of seals is construed as inhering in the adequacy of their fit to paradigmatic cultural models. Medieval seals did not merely reflect the organizing principles of medieval culture and society nor did they simply represent reality; they were involved in creating a reality. In medieval culture, truth was a fundamental value which could not be dissociated from the real: truth was reality.⁹³

The studies of institutional seals of Ferran de Sagarra, together with his interest in the Catalan Revolt of 1640 (La guerra dels segadors) and the First Carlist War between 1833 and 1839 turned this Catalan sigillographer, originally a believer in the advantages of monarchic regimes, into a Catalanist Federalist Republican.

Every study on sigillographic historical evidences implies an analysis of the relationship between the image and political powers. The seal imprints a

⁹¹ *Meritíssim patrici: Sia la enhorabona i que, encara que la victòria no ha sigut completa, el Jurat del premi 'Martorell' ha fet justícia al treball de vostè, de excepcional importància arqueològica, y d'immensa vàlua per la història de Catalunya* BC Fons Sagarra, Capsa Premi Martorell, Carta de Leonci Soler i March a Ferran de Sagarra i de Siscar, Manresa, 24 d'abril de 1912.

⁹² *Les Sceaux* by Lecoq de la Marche. Review by A. M. in *The American Journal of Archaeology and of the History of the Fine Arts*, Vol. 6, No. 1/2 (Mar. – Jun., 1890), p. 127.

⁹³ Brigitte Miriam Bedos-Rezak, 'In Search of a Semiotic Paradigm: The Matter of Sealing in Medieval Thought and Praxis (1050–1400)', in Adams, Cherry and Robinson, *Good Impressions*, p. 1.

kind of ‘character’ or ‘permanency’ thanks to the performance of a real corporeal contact between the archetypal image (matrix of the seal) and a very specific political mechanism of control over men and things (the seal itself in wax, plumb or whatever imprinted materials that validate the written word). In this sense, there is a powerful and direct relationship between sigillography and political theology, especially during the Middle Ages.

Archaeology in general is also a powerful tool for nation-building discourse, especially after the French Revolution in 1789, sigillography in Ferran de Sagarra’s work was a clear symptom of the defence of a Catalan Nationalism in the very cultural (and legitimate) sense of this expression. In association with political theology, the nationalistic discourse in dealing with the study of seals is called to have a tremendous influence in the writing of the different historical discourses in different nations.

Chronology

1853	August 17 born in Barcelona.
1862	Edouard de Fouchier, ‘Sphragistique roussillonnaise.’
1863–1868	Louis Douët d’Arcq, <i>Collections de sceaux</i> , Paris, 3 vols
1865	School studies in Manresa.
1868	School studies in Barcelona. September: The Glorious Revolution (<i>La Gloriosa</i>) resulting in the deposition of Queen Isabella II.
1870	University studies in Barcelona. He met Marcelino Menéndez Melayo and Antoni Rubió i Lluch. He attends Manuel Milà i Fontanals and Manuel Duran i Bas’ Lectures.
1875	Degree in Law.
1885	First publication on the Modern Catalan Institutions. Member of the Societat Arqueològica Tarraconense.
1888	Member of the Real Academia de Historia de Madrid.
1890	June 15th, Member of the Acadèmia de Bones Lletres de Barcelona. His reception Lecture was ‘The Sigillography, partake of Archaeology and auxiliary of History.’
1893	Monograph on the Seal of Bernat Calbó, Bishop of Vic (c. 1180–1243).
1898	Studies on the seal of the king Pere el Cerimoniós (1319–1387).
1901	Studies on a seal of the town of Prades (1294).

- 1902 The importance of Sigillography as an auxiliary science for History.
- 1903 Studies on the Inventaries of the Castle of Sitges (1606).
- 1905 First political activities with *La Lliga* party, Catalanist conservatives.
- 1906 Article on the archaeological discovery in the prehistoric site of Puig Castellar.
- 1908 Study of the seals of the King Jaume I (1208–1276). Monograph on the seals of the Counts of Urgell (c. 798–1413).
- 1909 Note on the seal of the Countess Aurembiaix (1196–1231). First international connections: August Coulon (National Archive of Paris).
- 1910–1913 Prehistoric excavations in Puig Castellar. First contact with the work of the international archeologists and other scholars: Diodor Siculus, Charles du Fresne (Du Cange), Ulrich Hübner, Edouard Philippe Emile Cartailhac, Gabriel de Mortillet, the brothers Louis and Henri Siret, Juan Rubio de la Serna and Joan Vilanova i Piera.
- 1912 Josep Martorell Prize of Spanish Archaeology to his unpublished work *Sigillografia catalana* (SC).
- 1916 Publication of the Volume I of the SC. In the Prologue he quotes: Gustave Schlumberger, Alphonse Chassant, Aubin-Louis Millin, José María Escudero de la Peña, Louis Douët d'Arcq, Albert Lecoy de la Marche, Germain Demay. He also quotes the first studies in sigillography by Olivarius Wredius, Ludovico Antonio Muratori, Jean Mabillon, Joseph Vaissette or Guy Alexis Lobineau.
- 1918 Article on the Infant Alfons of Castilla (1453–1468).
- 1920 Member of the Historic-archaeological Section of the Institut d'Estudis Catalans.
- 1920–1934 Different articles on the Catalan-Nationalist Revolt of 1640–1659 called the 'Guerra dels segadors' (Reapers' War).
- 1921 Historical monograph on the Parish of Sant Vicenç de Sarrià (tenth–twentieth centuries).
- 1922 Publication of the Volume II of the SC.
- 1923 Provincial deputy with *Acció Catalana*, Catalanist Republicans.
- 1925 Publications of texts for the study of the Ancient Catalan Law.
- 1932 Publication of the Volume III of the SC.
- 1930 Publication of *The lessons of History in 1640*.
- 1931 Publication of *The Catalan unity in 1640*.
- 1933 Deputy with the *Lliga Catalana* party.

- 1935 April: Prize Duseigneur of the *Académie des Inscriptions et Belles Lettres de Paris* to SC in three volumes.
- 1935–1936 Publication of *The Patriotic Catalan revolt in 1640*.
- 1935 Publication of *La Primera Guerra Carlina a Catalunya* (The first Carlist War in Catalonia).
- 1936 Exile to France.
- 1939 30 March, died in Saint-Sulpice-la-Pointe

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- F. de Sagarra, *Los Segells del Rey en Jaume I* (Barcelona: Impremta de la Casa Provincial de Caritat, 1908).
- F. de Sagarra, 'Segells amb la imatge de Jaume I', *Il·lustració catalana periòdich desenal, artístich, literari i científich*, 7, 263 (1908), pp. 422–424.

⁹⁴ I list here only the texts of Ferran de Sagarra that I have used in these pages. The last exhaustive list of his publications is in: E. Serra, 'Ferran de Sagarra i de Siscar', in *Memòria 2004-05* (Barcelona, Institut d'Estudis Catalans, 2007), pp. 110–115.

- F. de Sagarra, 'Segells amb la imatge de Jaume I', *Il·lustració catalana periòdich desenal, artístich, literari i científich*, 7, 266 (1908), pp. 474–475.
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- F. de Sagarra, 'Dades referents a les guerres de 1640, 1714, 1809 i 1812', *Revista de Catalunya* XI (1929), pp. 424–437.
- F. de Sagarra, 'Segell o bolla de l'antiga fàbrica Busquets de Terrassa', *Butlletí del Club Pirinenc*, 7, 32 (1929), pp. 125–128.
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La vista d'aquests hermosos segells de vegs i d'altres
 el XIV i XV segle,, son bells models, que convencia
 al artista per inspirarse. adaptantlos, així gust
 i tendències de l'època.
 L'arquitectura de l'edat mitjà, te dos gran edificis
 per a fer sa història i no obstant el que
 se encarrega de l'edifici no podria
 negligir els segells - En aquests cadres rectes
 apareixen uns detalls que, troben també
 als monuments, mes que no podrem
 classificar per falta de una data
 certa de papeles assignar una època
 certa

Fig. 1: Ms with the Preparatory Notes for the Prologue of Ferran de Sagarra's *Sigillografia catalana*, National Library of Catalonia (BC) Fons Ferran de Sagarra, s.n.

En 1867. un procedent test per
 en fribol a' puchos del Ambros
 Nofornell - traduhit per l'orienta-
 lista anglès Stanley
 El d'Immediat, procedir el
 celcine frontal el altu mayor
 angle s'hi trobava encastat
 i consistia en una calcedonia
 de figura oval en la que s'hi
 llegia en dos línies escrita en
 llatí i arab l'o nom shewat
 d'Ermesindis
 ERMESINDIS
 un altre.
 El segon trobat pel P. Fita
 es una cornalina, també
 oval, encara que d'anglès

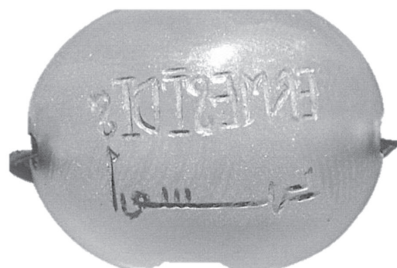


Fig. 2: Left: Sagarra's Ms with the description of the seal of the Countess Ermesinde of Carcassonne (975-1058). BC Fons Sagarra Capsa 3, lligall 29.

Right: Ermesinde's personal seal in blue Chalcedony with both Latin ERMESI[N]DIS and Arabic inscriptions with her inverted name engraved. In 1438 this seal was attached to the cathedral monstrance by the goldsmith Francesc Artal. Chapter Museum Girona Cathedral.

Apuntes y Datos
 para un tratado de Sigilografía Catalana
 por
 J. Ferrnado e Sagarra.
Sane

Schlumberger. de la gran importancia
 histórica y utilidad que representa
 bajo el punto de vista histórico y
 arqueológico el estudio de los sellos de la
 época visigoda.

La dificultad consiste en que todo esto
 por hacer y por conseguir lo mate-
 rial han ocasionado

Fig. 3: Sagarra's Ms commenting on Schlumberger in 'Apuntes y datos para un tratado de Sigilografía Catalana', 1894. BC Fons Sagarra, w. p.

Topograficos

Una clase muy oscura. de sellos, completa-
mente ignorada. otros tiempos y otros días mas y
mas numerosas, interesada mas especialmente
la historia misma de la capital, se les
podria designar con el nombre de plomos
topograficos de Constantinopla. Esto son, todos
los que pertenecen a los funcionarios, de palacios,
de iglesias, de conventos, de hospitales, de otros edificios
ciudadanos, militares o privados. de la capital, y en
los cuales estan inscritos, los nombres casi siempre
historicos, a menudo celebres, de estos monumentos.
Puede concebirse de cuantos indiciaciones el
examen atento de esta clase de sellos puede
enriquecer la historia municipal. muy oscura
aun de la Constantinopla de la Edad media

Fig. 4: Sagarra's Ms on "Topographical seals" in 'Apuntes y datos para un tratado de Sigilografía Catalana', 1894. BC Fons Sagarra, w. p.



Fig. 5: Lead seal of Constantine IX Monomachos (1042–1055). Dumbarton Oaks Collection Ref. BZS.1958.106.623 (formerly DO 58.106.623). Obverse: Half-length representation of Christ bearded. Inscription: Ἐ[μ]μανουήλ. Reverse: Half-length representation of Constantine IX bearded. Inscription: Cōns<τ>ant(inos) basil[eus] R(o)m(aion).



Fig. 6: Obverse of the bronze seal-matrix (left) and wax seal (right) of Townseal of Boppard (1236-1300). Inscription: + BOPARDIA. LIBERV. ET: SPETIALE: OPIDVM. ROMANI. IMPERII. S[ANCTUS]SEVERUS.

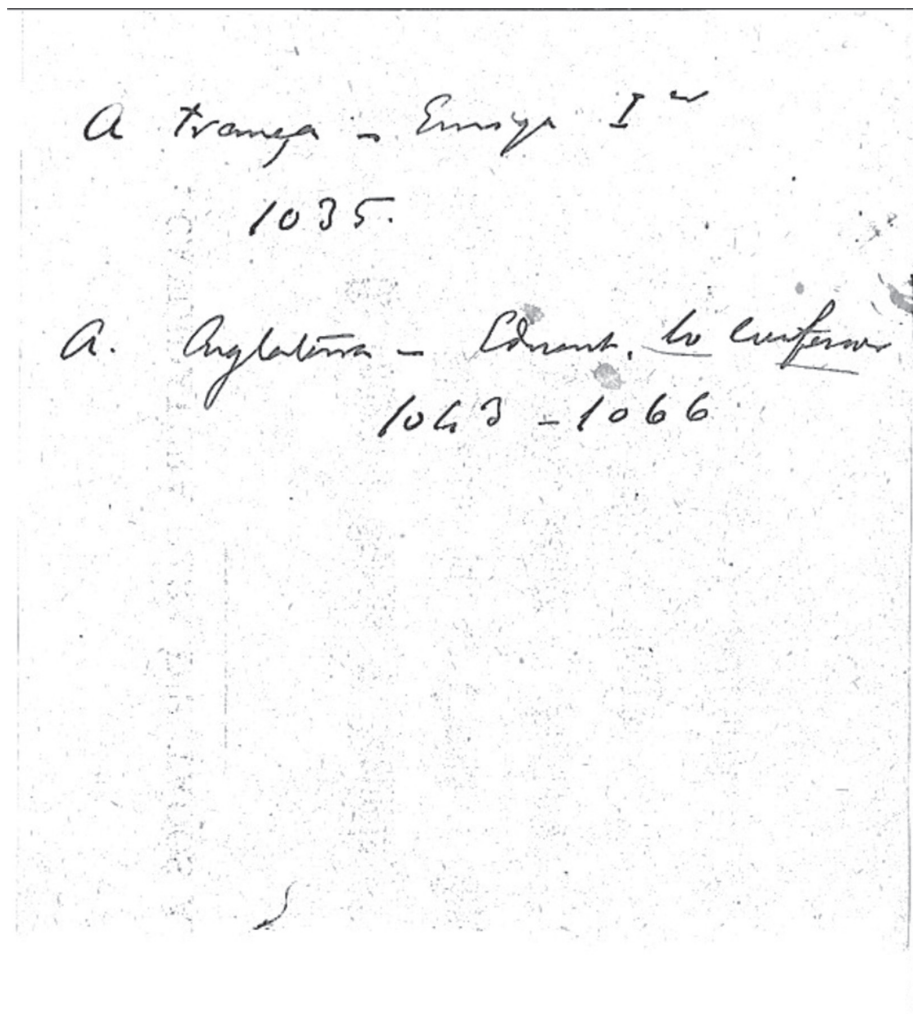


Fig. 7: Sagarra's Ms on the Frankish and Norman historical precedents in the use of big size seals before the Kings of Aragon. BC Fons Sagarra Capsa 3, lligall 29, Reg. 17403.

Alfonso I ^o el Batallador - 1104 - 1134	Alfonso VI & Castilla 1092 - 1109
Ramiro II el mozo 1134 - 1137	Alfonso VIII 1158 - 1214
Ramon Berenguer IV. 1134 - 1162.	
Alfonso II 1162 - 1196.	
Pedro I ^o el casto 1196 - 1213.	
Jaime I. - 1213 - 1276	
Pedro III - . . . 1276 - 1285.	
Alfonso III - . . . 1285 - 1291.	
Jaime II el just. 1291 - 1327	
Alfonso IV el benigno 1327 - 1336	
Pedro IV - . el Ceremonioso 1336 - 1387	
Juan I el Cazador - 1387 - 1395	
Martin el humano - 1395 - 1410	
Antony & Dorau	
Fernando & Antequera (1412 - 1416)	
	Entre esta corona & el infante D. Pedro hijo del rey D. Sancho I de Portugal esta villa queda a la una parte la anterior & el resto & el resto de la anterior que vive de la una parte
	Apuntes al siglo XIII (1208)
	Entre esta corona & el infante D. Pedro hijo del rey D. Sancho I de Portugal esta villa queda a la una parte la anterior & el resto & el resto de la anterior que vive de la una parte

Fig. 8: Sagarra's Ms recording the list of the Aragon Crown Kings (left), BC Fons Sagarra Capsa 3, lligall 29.

En un traslado datat a 1er d'Abril de 1356, ^{se descriu el} ~~se descriu el~~
 segell de Pere III que pengia el seu document datat a Callar
 a 19 de Juny de 1355; diu així:
 Sigillo cere rubee appendico in cordulis cirici regalibus
 communita, cuiusquidem sigilli altera parte sculpta erat
 imago principis sedentis in solio, tenentis in ma-
 nu dextra ceptum et in sinistra p[er]am cum
 cruce desuper. Altera vero parte ipsius sigilli
 sculpta erat imago principis equitantis munus
 in manu vero dextra ensis gestabat et in
 sinistra clipeum signi Regalis cum capite galeato
 in circumferencia alterius partis ipsius sigilli
 littere ~~legebantur~~ ^{legebantur} Petrus dei gra Rex
 Aragonum Valencie Maiorice Sardie et Cor-
 sice comesque barcinonensis Rossilonis et
 Centum. In alterius vero partis circumferencia littere
 legebantur Diligite iusticiam qui iudicatis terram
 et oculi vestri (sic) videant equitatem.
 Arxiu General del Regne de Mallorca - Llibre de Francisc Lagarriga
 Sagarra, governador del Regne del any 1381.

Fig. 9: Sagarra's Ms transcription of King Peter the Cerimonious' description of his own Royal Seal in 1356 as stated in Arxiu General del regne de Mallorca-Llibre de Francisc Lagarriga, governador del regne del any 1381. BC Fons Sagarra, w. p.



Fig. 10: Scene of the King David being anointed by the Priest, and receiving the power from Above. Example of the type of Kingship that Ernst Kantorowicz calls *Theomimetic* or *Regnum Davidicum* (imitation of the Old Testament God). *Biblia Sancti Petri Rodensis*, Bibliothèque nationale de France, Département des manuscrits, Latin 6 (2), 901–1100, fol. 129v.

Núm. 04312

Ayuntamiento Constitucional de Barcelona
SECRETARIA
REGISTRO GENERAL

D. Francisco Puig y Alfons
ha presentado en esta fecha una ~~instancia~~ *priego cerrado y 15 brms.* a máquina y a mano
sobre el objeto que al pie se indica.

Barcelona, 6 de Octubre de 1911

POR EL SECRETARIO
El Oficial,
E. de Tinas

Objeto: Tema "La Sigilografia es una part importantissima de la Arqueologia"

Núm. 04471

Ayuntamiento Constitucional de Barcelona
SECRETARIA
REGISTRO GENERAL

D. Francisco Puig y Alfons
ha presentado en esta fecha una ~~instancia~~ *instancia documento.*
sobre el objeto que al pie se indica.

Barcelona, 20 de Octubre de 1911

POR EL SECRETARIO
El Oficial,
E. de Tinas

Objeto: Como complemento de la obra "Sigilografia Catalana" presentada en G del actual, presenta un somario conteniendo varios efectos.

Fig. 11: Above: Receipt of delivery of Sagarra's submission of his Text for the Martorell Prize of Spanish Archaeology, General Register of the Municipal Government of Barcelona, October 6th 1911.

Below: Delivery receipt of the complementary Ferran de Sagarra's submission of a "Cupboard containing diverse effects" (seals' plaster casts), October 20th 1911. For both see: BC Fons Sagarra, Capsa Premi Martorell, w.r.

~~1882 -~~

1º 1887 = Siret. — Rehistorta

2º 1892 -

3º 1897 — Balaxi — Grigues histò
riques & Catalluny

4º 1902 — Viena París — Rehistorta

5º 1907 — { Longmaney Angustetum
Nules — Nominacion
Priny Cadafold Angustet
na

6º 1909 —

Fig. 12: Sagarra's Ms notes with the list of the former awardees of the Martorell. BC Fons Sagarra, Capsa Premi Martorell, w.r.

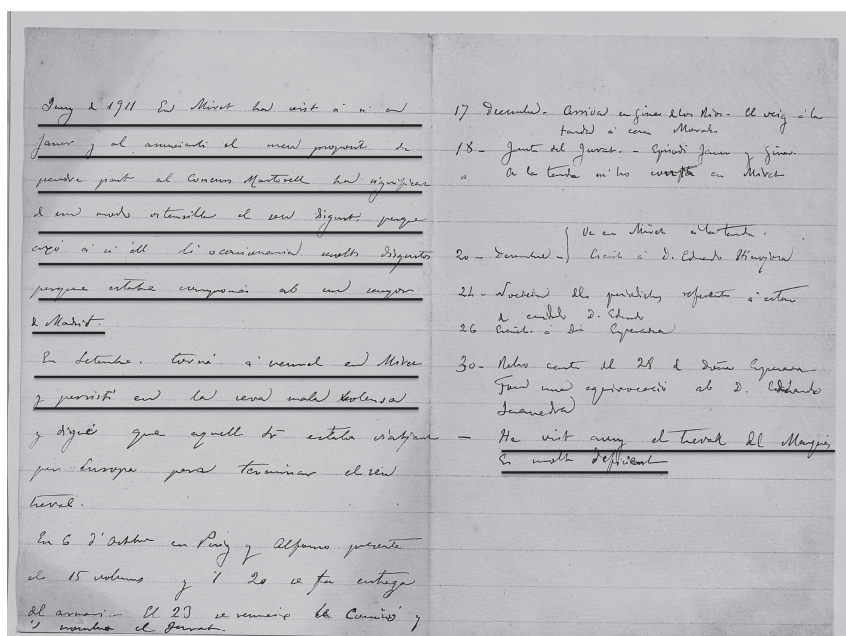


Fig. 13: Sagarra's Ms notes with his thinkings about the eventual manipulation of the Martorell Prize results. BC Fons Sagarra, Capsa Premi Martorell, w.r. Author's text underlinings.

vida, al casuista Martorell, el jurado, con poco o mal fundamento, que
 eso no soy yo quien debe juzgarlo, dijo que lamentaba no poder
 presentarlo por no estar ultimado y que de estado ^{luminoso} ~~debe ser~~
~~sobrepasado en mérito~~, a la obra a quien se adjudica ^{entonces} ~~se le~~
 tener contrada una deuda y recibir saldada, presentándole nuevamen-
 te, ultimado por completo y aumentado considerablemente el material
 que lo integra. Esa ha sido mi labor durante los diez años
 últimos, habiendo dado cima a mi empresa después de once
 meses ~~de~~ de trabajo irregular y continuo, para darle la
 última mano, corregir erratas y poner en forma presen-
 table los quince volúmenes ^{de que consta} ~~que se integran~~
 I aquí engloba mi calvario y el dignito a que he aludido
 antes, ^{mejor D. Eduardo!} Desde el momento en que se le dio entrega ^{al trabajo} ~~al trabajo~~
 de entrega, al oficial del Ayuntamiento que actúa como secretario del
 Jurado, se recibió deputivamente, con gran disgusto y visible contrariedad

Figs. 14: Letter from Ferran de Sagarra to D. Eduardo de Hinojosa, 2 pages, w/d. BC Fons Sagarra, Capsa Premi Martorell, w.r. Author's text underlinings.

2

como si existiese ya en parte prin a favor de otro concurriente,
aprovechando estas dificultades a que acompañase ^{o se llega} al manuscrito ^{o al original} ~~la parte gráfica de la obra~~ o sea más d. 3.º, 4.º, 5.º, 6.º, 7.º, 8.º, 9.º, 10.º, 11.º, 12.º, 13.º, 14.º, 15.º, 16.º, 17.º, 18.º, 19.º, 20.º, 21.º, 22.º, 23.º, 24.º, 25.º, 26.º, 27.º, 28.º, 29.º, 30.º, 31.º, 32.º, 33.º, 34.º, 35.º, 36.º, 37.º, 38.º, 39.º, 40.º, 41.º, 42.º, 43.º, 44.º, 45.º, 46.º, 47.º, 48.º, 49.º, 50.º, 51.º, 52.º, 53.º, 54.º, 55.º, 56.º, 57.º, 58.º, 59.º, 60.º, 61.º, 62.º, 63.º, 64.º, 65.º, 66.º, 67.º, 68.º, 69.º, 70.º, 71.º, 72.º, 73.º, 74.º, 75.º, 76.º, 77.º, 78.º, 79.º, 80.º, 81.º, 82.º, 83.º, 84.º, 85.º, 86.º, 87.º, 88.º, 89.º, 90.º, 91.º, 92.º, 93.º, 94.º, 95.º, 96.º, 97.º, 98.º, 99.º, 100.º, 101.º, 102.º, 103.º, 104.º, 105.º, 106.º, 107.º, 108.º, 109.º, 110.º, 111.º, 112.º, 113.º, 114.º, 115.º, 116.º, 117.º, 118.º, 119.º, 120.º, 121.º, 122.º, 123.º, 124.º, 125.º, 126.º, 127.º, 128.º, 129.º, 130.º, 131.º, 132.º, 133.º, 134.º, 135.º, 136.º, 137.º, 138.º, 139.º, 140.º, 141.º, 142.º, 143.º, 144.º, 145.º, 146.º, 147.º, 148.º, 149.º, 150.º, 151.º, 152.º, 153.º, 154.º, 155.º, 156.º, 157.º, 158.º, 159.º, 160.º, 161.º, 162.º, 163.º, 164.º, 165.º, 166.º, 167.º, 168.º, 169.º, 170.º, 171.º, 172.º, 173.º, 174.º, 175.º, 176.º, 177.º, 178.º, 179.º, 180.º, 181.º, 182.º, 183.º, 184.º, 185.º, 186.º, 187.º, 188.º, 189.º, 190.º, 191.º, 192.º, 193.º, 194.º, 195.º, 196.º, 197.º, 198.º, 199.º, 200.º, 201.º, 202.º, 203.º, 204.º, 205.º, 206.º, 207.º, 208.º, 209.º, 210.º, 211.º, 212.º, 213.º, 214.º, 215.º, 216.º, 217.º, 218.º, 219.º, 220.º, 221.º, 222.º, 223.º, 224.º, 225.º, 226.º, 227.º, 228.º, 229.º, 230.º, 231.º, 232.º, 233.º, 234.º, 235.º, 236.º, 237.º, 238.º, 239.º, 240.º, 241.º, 242.º, 243.º, 244.º, 245.º, 246.º, 247.º, 248.º, 249.º, 250.º, 251.º, 252.º, 253.º, 254.º, 255.º, 256.º, 257.º, 258.º, 259.º, 260.º, 261.º, 262.º, 263.º, 264.º, 265.º, 266.º, 267.º, 268.º, 269.º, 270.º, 271.º, 272.º, 273.º, 274.º, 275.º, 276.º, 277.º, 278.º, 279.º, 280.º, 281.º, 282.º, 283.º, 284.º, 285.º, 286.º, 287.º, 288.º, 289.º, 290.º, 291.º, 292.º, 293.º, 294.º, 295.º, 296.º, 297.º, 298.º, 299.º, 300.º, 301.º, 302.º, 303.º, 304.º, 305.º, 306.º, 307.º, 308.º, 309.º, 310.º, 311.º, 312.º, 313.º, 314.º, 315.º, 316.º, 317.º, 318.º, 319.º, 320.º, 321.º, 322.º, 323.º, 324.º, 325.º, 326.º, 327.º, 328.º, 329.º, 330.º, 331.º, 332.º, 333.º, 334.º, 335.º, 336.º, 337.º, 338.º, 339.º, 340.º, 341.º, 342.º, 343.º, 344.º, 345.º, 346.º, 347.º, 348.º, 349.º, 350.º, 351.º, 352.º, 353.º, 354.º, 355.º, 356.º, 357.º, 358.º, 359.º, 360.º, 361.º, 362.º, 363.º, 364.º, 365.º, 366.º, 367.º, 368.º, 369.º, 370.º, 371.º, 372.º, 373.º, 374.º, 375.º, 376.º, 377.º, 378.º, 379.º, 380.º, 381.º, 382.º, 383.º, 384.º, 385.º, 386.º, 387.º, 388.º, 389.º, 390.º, 391.º, 392.º, 393.º, 394.º, 395.º, 396.º, 397.º, 398.º, 399.º, 400.º, 401.º, 402.º, 403.º, 404.º, 405.º, 406.º, 407.º, 408.º, 409.º, 410.º, 411.º, 412.º, 413.º, 414.º, 415.º, 416.º, 417.º, 418.º, 419.º, 420.º, 421.º, 422.º, 423.º, 424.º, 425.º, 426.º, 427.º, 428.º, 429.º, 430.º, 431.º, 432.º, 433.º, 434.º, 435.º, 436.º, 437.º, 438.º, 439.º, 440.º, 441.º, 442.º, 443.º, 444.º, 445.º, 446.º, 447.º, 448.º, 449.º, 450.º, 451.º, 452.º, 453.º, 454.º, 455.º, 456.º, 457.º, 458.º, 459.º, 460.º, 461.º, 462.º, 463.º, 464.º, 465.º, 466.º, 467.º, 468.º, 469.º, 470.º, 471.º, 472.º, 473.º, 474.º, 475.º, 476.º, 477.º, 478.º, 479.º, 480.º, 481.º, 482.º, 483.º, 484.º, 485.º, 486.º, 487.º, 488.º, 489.º, 490.º, 491.º, 492.º, 493.º, 494.º, 495.º, 496.º, 497.º, 498.º, 499.º, 500.º, 501.º, 502.º, 503.º, 504.º, 505.º, 506.º, 507.º, 508.º, 509.º, 510.º, 511.º, 512.º, 513.º, 514.º, 515.º, 516.º, 517.º, 518.º, 519.º, 520.º, 521.º, 522.º, 523.º, 524.º, 525.º, 526.º, 527.º, 528.º, 529.º, 530.º, 531.º, 532.º, 533.º, 534.º, 535.º, 536.º, 537.º, 538.º, 539.º, 540.º, 541.º, 542.º, 543.º, 544.º, 545.º, 546.º, 547.º, 548.º, 549.º, 550.º, 551.º, 552.º, 553.º, 554.º, 555.º, 556.º, 557.º, 558.º, 559.º, 560.º, 561.º, 562.º, 563.º, 564.º, 565.º, 566.º, 567.º, 568.º, 569.º, 570.º, 571.º, 572.º, 573.º, 574.º, 575.º, 576.º, 577.º, 578.º, 579.º, 580.º, 581.º, 582.º, 583.º, 584.º, 585.º, 586.º, 587.º, 588.º, 589

Figs. 15: Letter from Ferran de Sagarra to D. Eduardo de Hinojosa, 2 pages, w/d. BC Fons Sagarra, Capsa Premi Martorell, w.r. Author's text underlinings.

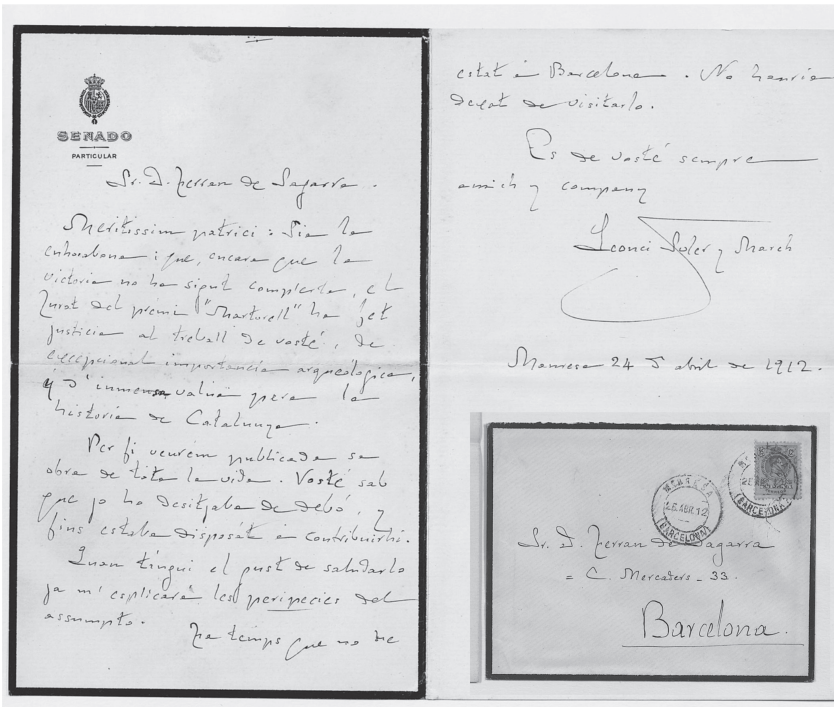


Fig. 16: Congratulations letter from Leonci Soler i March to Ferran de Sagarra, Manresa, April 24th 1912. BC Fons Sagarra, Capsa Premi Martorell, w.r.

BIOGRAPHICAL PROFILES

Nicolás Álvarez de las Asturias is Professor of History of Canon Law at the Ecclesiastical University San Dámaso (Madrid, Spain). His recent publications include *La reforma gregoriana en España* (co-edited with José María Magaz, Madrid 2011) and *San Juan de Ávila, doctor de la Iglesia* (Madrid 2013). He is currently preparing the critical edition of the *Collectio Lanfranci*, an eleventh-century Anglo-Norman canon law collection. His research interests include the eleventh-century canonical collection and the development of canonical institutions, mainly marriage and the hierarchical structure of the Church.

Jaume Aurell is Associate Professor of Medieval History and Historiography at the University of Navarra (Spain). He has published *Authoring the Past: History, Autobiography, and Politics in Medieval Catalonia* (Chicago, 2012), *La scrittura della memoria: Dai positivismi ai postmodernismi* (Roma, 2011), and *Els mercaders catalans al Quatre-Cents* (Lleida, 1996). He has also edited *La historia de España en primera persona. Autobiografías de historiadores hispanistas* (Barcelona, 2012) and, with Rocio G. Davis, *Academic Autobiography and in the Discourses of History*, a special issue of *Rethinking History*, 13.1 (2009). He is currently working on medieval coronations. He is a member of the Editorial Board of *Rethinking History* and *The Journal of Medieval Iberian Studies*.

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Anna K. Dulska is a Ph.D. candidate and a scholar of *Asociación de Amigos* at the University of Navarra (Spain), where she is working on a dissertation on the Hospitaller priory of Navarre in the late Middle Ages, in the framework of the research project 'The Military Orders in the Shaping of the Medieval World' directed by Dr Julia Pavón Benito. Her MA thesis, defended at the Pontifical University of John Paul II (Cracow, Poland), focused on the situation of the Jewish diaspora in the Middle East in the twelfth century, and has recently been published.

Alejandro Diz is Professor of History of Ideas at the University Rey Juan Carlos (Spain). His publications include, among others, *Idea de Europa en la España del siglo XVIII* (Madrid, 2000); *Historia de la idea de Europa. Del mito de la diosa griega al sentir europeo de la Ilustración* (Madrid, 2012); co-editor of *Escritos de Historia Militar de José Antonio Maravall*, and author of the Introduction: 'Apuntes históricos sobre el ejército y el arte de la guerra en la España medieval y moderna' (Madrid, 2007). He is a member of the Scientific Committee of different exhibitions and catalogues, including *Ilustración y proyecto liberal. La lucha contra la pobreza* (2001); *Un siglo de cambios* (2003); *Encrucijada de culturas* (2008). He has written several biographies of the *Diccionario Biográfico Español* of the Real Academia de la Historia. He contributes on Opinion Sections to several Spanish newspapers. His research interests are History of ideas; Spain-Europe-America; Liberalism; Illustration.

César Olivera Serrano is Research Fellow at the History Institute, in the Spanish CSIC (*Consejo Superior de Investigaciones Científicas*). His recent publications include *Beatriz de Portugal. La pugna dinástica Avis-Trastámara* (Santiago de Compostela 2005) and other articles and papers related with dynastic, religious, and cultural relations between Castile and Portugal in the fourteenth and fifteenth centuries.

Julia Pavón Benito is Associate Professor of Medieval History at the University of Navarra (Spain). Her research focuses on the history of the Kingdom of Navarra and the culture of death in medieval times publishing *Poblamiento altomedieval Navarro* (Pamplona, 2001) and *Morir en la Edad Media* (with A. García de la Borbolla; Valencia, 2007). She is currently working on the Order of the Hospital and the Temple in the Navarre Priory (*La orden del Hospital de San Juan de Jerusalén. Contextos y trayectorias del priorato de Navarra medieval*; Madrid-Pamplona, 2013, edited with M. Bonet). She is preparing a critical edition of the previously unpublished texts on the Templars and another of the Hospitaliar order of Saint John of Jerusalem in the medieval kingdom of Navarre between the twelfth and fifteenth centuries.

Alfons Puigarnau is Associate Professor of Cultural History at the Faculty of Architecture of the International University of Catalonia. His work focuses on the relationship between the Aesthetics of the Middle Ages and the historical condition of visibility and culture. In 2009 he published on the Dutch historian Johan Huizinga in the volume II of this same Series *Rewriting the Middle Ages in the Twentieth Century*. His approach to medieval

images and documents is grounded in the historiographical tradition of The Warburg Institute of London.

Israel Sanmartín is Researcher/Associate Professor 'Parga Pondal' of Medieval History at the University of Santiago de Compostela. He is the Principal Investigator of the Research Project entitled 'Milenarismo Pleno-medieval (siglos XI-XIII): historia, historiografía e imagen', sponsored by the 'Xunta de Galicia'. His research focuses on: a) history of medieval millennialism b) historiography and theory of history; c) Latin American historiography d) digital history. He is the author of *Entre dos Siglos: globalización y pensamiento único* (Madrid, 2007) and the editor of *Historia(s), Imagen(es) y Lenguaje(s)* (Universidad de Santiago de Compostela, 2012) and *Temporalidad y Contextos* (Santiago de Compostela, 2014). He is also working on a book for Peter Lang: *El fin de la historia*.

Joaquín Sedano is Assistant Professor of History of Canon Law at the University of Navarra (Spain). He is member of the Advisory Board of the 'International Society of Medieval Canon Law' since August of 2012. His research focuses on the medieval sources of canon law. He is currently working on the critical edition of the canonical *Collection in Ten Parts* (twelfth century). He is also co-editor (with Javier Otaduy and Antonio Viana) of the *Diccionario General de Derecho Canónico*, 7 vols (Pamplona, 2012).

Marta Serrano Coll is Lecturer of History of Art at the University Rovira i Virgili in Tarragona (Spain) and a founding member of *TEMPLA: Taller d'Estudis Medievals*. She has studied royal iconography in the Crown of Aragon from the eleventh to sixteenth centuries and has published *Jaime I el Conquistador: imágenes medievales de un reinado* (Zaragoza, 2008) and *Ferdinandus Dei gracia Rex Aragonum: La efigie de Fernando II el Católico en la iconografía medieval* (forthcoming).

